

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

3
4 MARQUIS TILMAN,
5 Plaintiff,

6
7 VS. Civil No. 2:20-cv-10-KS-MTP

8 CLARKE COUNTY, MISSISSIPPI, et al.

9 Defendants.

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13 DEPOSITION
14 OF
15 DEPUTY BILLY LEWIS
16 SEPTEMBER 29, 2021

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Page 1



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<p>1 The deposition of BILLY LEWIS is taken</p> <p>2 on this, the 29th day of September 2021, on</p> <p>3 behalf of the Plaintiff, pursuant to notice and</p> <p>4 consent of counsel, beginning at approximately</p> <p>5 1:30 p.m. via Zoom video conference.</p> <p>6 This deposition is taken pursuant to the</p> <p>7 terms and provisions of the Federal Rules of</p> <p>8 Civil Procedure.</p> <p>9 All forms and formalities are waived.</p> <p>10 Objections are reserved, except as to form of the</p> <p>11 question, to be disposed of at or before the</p> <p>12 hearing.</p> <p>13 The signature of the witness is not</p> <p>14 waived.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 2</p>	<p>1 I N D E X</p> <p>2</p> <p>3 EXAMINATION INDEX</p> <p>4</p> <p>5 BILLY LEWIS</p> <p>6 BY MR. MOORE 5</p> <p>7</p> <p>8 EXHIBIT INDEX</p> <p>9 EXHIBIT NO. DESCRIPTION PAGE</p> <p>10 EXHIBIT NO. 1 Statement of Billy Lewis; CLT 22</p> <p>11 Tilman 93 and 94</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 COURT REPORTER'S CERTIFICATE 67</p> <p>23</p> <p>24 ERRATA SHEET 68</p> <p>25</p> <p style="text-align: right;">Page 4</p>
<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 CARLOS MOORE, ESQ.</p> <p>5 Cochran Firm</p> <p>6 306 Branscome Drive</p> <p>7 Grenada, Mississippi 38902</p> <p>8 601-227-9940</p> <p>9 cmoore@cochranfirm.com</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 FOR THE DEFENDANT:</p> <p>21 JESSICA MALONE, ESQ.</p> <p>22 Allen, Allen, Breeland & Allen</p> <p>23 214 Justice Street</p> <p>24 Brookhaven, Mississippi 39601</p> <p>25 601-833-4361</p> <p>26</p> <p>27</p> <p>28</p> <p>29</p> <p>30</p> <p>31</p> <p>32</p> <p>33</p> <p>34</p> <p>35</p> <p>36</p> <p>37</p> <p>38</p> <p>39</p> <p>40</p> <p>41</p> <p>42</p> <p>43</p> <p>44</p> <p>45</p> <p>46</p> <p>47</p> <p>48</p> <p>49</p> <p>50</p> <p>51</p> <p>52</p> <p>53</p> <p>54</p> <p>55</p> <p>56</p> <p>57</p> <p>58</p> <p>59</p> <p>60</p> <p>61</p> <p>62</p> <p>63</p> <p>64</p> <p>65</p> <p>66</p> <p>67</p> <p>68</p> <p>69</p> <p>70</p> <p>71</p> <p>72</p> 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<p>166</p> <p>167</p> <p>168</p> <p>169</p> <p>170</p> <p>171</p> <p>172</p> <p>173</p> <p>174</p> <p>175</p> <p>176</p> <p>177</p> <p>178</p> <p>179</p> <p>180</p> <p>181</p> <p>182</p> <p>183</p> <p>184</p> <p>185</p> <p>186</p> <p>187</p> <p>188</p> <p>189</p> <p>190</p> <p>191</p> <p>192</p> <p>193</p> <p>194</p> <p>195</p> <p>196</p> <p>197</p> <p>198</p> <p>199</p> <p>200</p> <p>201</p> <p>202</p> <p>203</p> <p>204</p> <p>205</p> <p>206</p> <p>207</p> <p>208</p> <p>209</p> <p>210</p> <p>211</p> <p>212</p> <p>213</p> <p>214</p> <p>215</p> <p>216</p> <p>217</p> <p>218</p> <p>219</p> <p>220</p> <p>221</p> <p>222</p> <p>223</p> <p>224</p> <p>225</p> <p>226</p> <p>227</p> <p>228</p> <p>229</p> <p>230</p> <p>231</p> <p>232</p> <p>233</p> <p>234</p> <p>235</p> <p>236</p> <p>237</p> <p>238</p> <p>239</p> <p>240</p> <p>241</p> <p>242</p> <p>243</p> <p>244</p> <p>245</p> <p>246</p> <p>247</p> <p>248</p> <p>249</p> <p>250</p> <p>251</p> <p>252</p> <p>253</p> <p>254</p> <p>255</p> <p>256</p> 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<p>1 A. Yes.</p> <p>2 Q. If you need to take a break at any time,</p> <p>3 let me know. I will let you take a break;</p> <p>4 however, if there's a pending question I'm going</p> <p>5 to ask you to answer the pending question before</p> <p>6 taking the break. All right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Finally, my ground rule is that we will</p> <p>9 not talk over each other. When I'm talking I'm</p> <p>10 going to ask that you remain quiet, and when</p> <p>11 you're talking I'm going to do likewise. Okay?</p> <p>12 A. Okay.</p> <p>13 Q. I notice that there's as delay when I</p> <p>14 ask a question. So I'll pause so that you can</p> <p>15 answer it so that she gets everything down</p> <p>16 correctly.</p> <p>17 Have you ever gone by any other name or</p> <p>18 alias besides Billy Lewis?</p> <p>19 A. I'm sorry? You froze.</p> <p>20 Q. State your name.</p> <p>21 A. Billy Lewis.</p> <p>22 Q. Have you ever gone by any other name or</p> <p>23 alias?</p> <p>24 A. No, sir.</p> <p>25 Q. What is your address?</p> <p style="text-align: right;">Page 6</p>	<p>1 A. Quitman High School.</p> <p>2 COURT REPORTER: I didn't catch the name</p> <p>3 of the high school.</p> <p>4 MR. MOORE: He said Quitman High School.</p> <p>5 Do we have a bad connection?</p> <p>6 THE WITNESS: I believe so. It says</p> <p>7 network bandwidth low.</p> <p>8 MR. MOORE: My bandwidth is good on this</p> <p>9 end. Did you change bandwidths?</p> <p>10 THE WITNESS: Sorry I didn't hear you.</p> <p>11 MR. MOORE: Did y'all change</p> <p>12 connections? Can you hear me better?</p> <p>13 THE WITNESS: A little bit.</p> <p>14 BY MR. MOORE:</p> <p>15 Q. Besides your wife do you have any other</p> <p>16 relatives that live nearby in the southern</p> <p>17 district of Mississippi?</p> <p>18 A. Yes, sir.</p> <p>19 Q. What are those relatives' names and</p> <p>20 relations?</p> <p>21 A. Barbara Young is my mother.</p> <p>22 Q. Where does she live?</p> <p>23 A. On Highway 18 East in Quitman.</p> <p>24 Q. Okay. Who else?</p> <p>25 A. Let's see. Both of my grandmothers.</p> <p style="text-align: right;">Page 8</p>
<p>1 A. 978 County Road 343, Stonewall,</p> <p>2 Mississippi 39363.</p> <p>3 Q. What's a good phone number for you?</p> <p>4 A. 601-513-9826.</p> <p>5 Q. Who lives at this 978 County Road 343</p> <p>6 address with you?</p> <p>7 A. My wife.</p> <p>8 Q. What's your wife's name?</p> <p>9 A. Chasity.</p> <p>10 Q. What's her maiden name?</p> <p>11 A. White.</p> <p>12 Q. What county is Stonewall in?</p> <p>13 A. Clarke.</p> <p>14 Q. How long have you lived at your address?</p> <p>15 A. Approximately two years now.</p> <p>16 Q. What's your date of birth?</p> <p>17 A. February 7, 1980.</p> <p>18 Q. How old are you?</p> <p>19 A. 41.</p> <p>20 Q. When did you finish high school?</p> <p>21 A. 1998.</p> <p>22 Q. Which high school? Which high school?</p> <p>23 A. I'm sorry, did you say which high</p> <p>24 school? It skipped a second.</p> <p>25 Q. Yeah.</p> <p style="text-align: right;">Page 7</p>	<p>1 One is Jerra Lewis that lives on County Road 672</p> <p>2 in Quitman. And Lonzell Bucken (phonetic) that</p> <p>3 lives on County Road 133 in Quitman.</p> <p>4 Q. Any other relatives?</p> <p>5 A. Yes, sir. I've got one aunt, (name</p> <p>6 inaudible), that lives on County Road 672.</p> <p>7 Another aunt is Renee Lewis that lives on County</p> <p>8 Road 672. An Uncle Danny Bucken that lives on</p> <p>9 County Road 133.</p> <p>10 Q. Any adult children?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Where do they live?</p> <p>13 A. My son Jordan Lewis, he lives on County</p> <p>14 Road 672 in Quitman.</p> <p>15 Q. All right.</p> <p>16 A. My daughter Jana Lewis, on the weekends</p> <p>17 she lives on County Road 672. During the week</p> <p>18 she's at William Carey University.</p> <p>19 Q. Any other adult relatives in the</p> <p>20 vicinity?</p> <p>21 A. No.</p> <p>22 Q. So you've got your wife, your two</p> <p>23 children, your mother, your grandmothers, some</p> <p>24 aunts, an uncle. What about your father and</p> <p>25 grandfather; are they deceased?</p> <p style="text-align: right;">Page 9</p>

<p>1 A. Yes, sir. 2 Q. No brothers? 3 A. No, sir. I have a sister that lives in 4 Raleigh, Mississippi I believe. Somewhere over 5 towards Jackson. 6 Q. What her name? 7 A. Belinda Ramage. 8 Q. Have you ever been convicted of any 9 crime? 10 A. No, sir. 11 Q. Have you ever been terminated from any 12 job? 13 A. No, sir. 14 Q. Have you ever been disciplined on any 15 job? 16 A. No, sir. 17 Q. Have you ever been asked to resign from 18 a job? 19 A. No, sir. 20 Q. Have you ever been counseled on a job? 21 A. No, sir. 22 Q. Tell me about your job history from high 23 school going forward. 24 A. Okay. Let's see. From high school I 25 worked security at Hankins Lumber Mill here in</p> <p style="text-align: right;">Page 10</p>	<p>1 Q. You don't have anything in your 2 disciplinary file that would be disciplinary in 3 nature in any of those jobs? 4 A. No, sir. 5 Q. Have you ever been the subject of an 6 Internal Affairs investigation? 7 A. No, sir. 8 Q. Have you ever been accused of excessive 9 force? 10 A. No, sir. 11 Q. Have you ever been accused of being a 12 bystander while someone -- one of your colleagues 13 was utilizing excessive force? 14 A. No, sir. 15 Q. What about this claim? 16 A. I'm not really sure what the claim is, 17 so I'm not sure. 18 Q. Were you served with this lawsuit? 19 A. I know the department was, and I haven't 20 read it. 21 Q. Do you know that you're named as a 22 defendant? 23 A. Yes, sir. Sheriff Kemp told us 24 everybody that was named. But as far as reading 25 --</p> <p style="text-align: right;">Page 12</p>
<p>1 Quitman. I left there and went to J.C. Penney in 2 Laurel and worked in loss prevention. I went 3 from there to the Quitman Police Department in 4 2001. I worked there through until 2005. 5 I left there and went to the Meridian 6 Police Department. I worked there for a short 7 time and then I came back to work at Quitman 8 Police Department part time. I went from there 9 and worked full time at Stonewall Police 10 Department as Police Chief there. 11 And then I left from Stonewall Police 12 Department and got hired with Clarke County 13 Sheriff's Department, and my first assignment was 14 in the South Mississippi Narcotics Task Force. 15 And I'm still currently employed at as Clarke 16 County Sheriff's Department as a patrolman. 17 Q. How long have you been at Clarke County 18 Sheriff's Department? 19 A. Twelve years I believe. My official 20 full-time hire date was September 11, 2009. 21 Q. Okay. And none of those jobs that you 22 mentioned, prior jobs, you were ever asked to 23 leave? You left under your own free will? 24 A. Yes, sir. I was never asked to leave 25 any of them.</p> <p style="text-align: right;">Page 11</p>	<p>1 Q. But you haven't read the lawsuit? 2 A. No, sir. 3 Q. Why not? 4 A. I just haven't seen it, I mean. 5 Q. What if anything, did you do to prepare 6 for this deposition? 7 A. I went back over and read the statement 8 that I wrote the day after this incident 9 occurred. 10 Q. Anything else? 11 A. We talked with counsel this morning just 12 to make sure that we had gone over our statement 13 and everything. 14 Q. All right. Who besides your counsel 15 have you spoken with in preparation for today's 16 deposition? 17 A. No one. 18 Q. Have you ever been involved in a lawsuit 19 besides this one? 20 A. Yes, sir. 21 Q. Tell me about that. 22 A. There was -- the one that I can 23 remember, I don't know, it was a few years ago. 24 I was working patrol for Clarke County Sheriff's 25 Department. Myself and other deputy, we got a</p> <p style="text-align: right;">Page 13</p>

<p>1 call from the State Fire Marshals Office that 2 gave us an address in Pachuta, Mississippi, which 3 is in Clarke County, that they had a felony 4 warrant for a gentleman there for arson and asked 5 if we would go by and check the residence and see 6 if we could locate the subject and take him into 7 custody on a warrant. 8 When we arrived at the house I went to 9 the rear of the house to make sure nobody ran out 10 the back. The other deputy went to the front 11 door. He knocked on the front door and when he 12 knocked on the door, the door open. What we did 13 was a quick safety sweep through the house to 14 make sure that nobody was inside, had broken in, 15 stealing, doing any damage. 16 I believe the radio traffic showed that 17 we were in the house for I think like 29, 30 18 seconds to clear make sure nobody was in there, 19 came back out and secured the door. Whenever the 20 homeowner got home she came to the sheriff's 21 department and was basically just throwing a fit 22 in the lobby. And the jailer that was there at 23 the time was instructed to take her into custody 24 and charge her for disorderly conduct for cursing 25 at him.</p> <p style="text-align: right;">Page 14</p>	<p>1 in any other lawsuit besides this one and that 2 one? 3 A. As a defendant, no. I was basically 4 named as a witness in another at the start of my 5 career, but as far as I know that's the only ones 6 I know of for definite. 7 Q. Have you ever been a plaintiff in a 8 lawsuit? 9 A. No, sir. 10 Q. Have you ever been divorced? 11 A. Yes, sir. 12 Q. Were you the plaintiff or the defendant? 13 A. I honestly don't remember because we 14 filed a no-fault divorce. 15 Q. Okay. 16 A. So I don't remember what I was labeled 17 as in that because we showed up with the judge 18 and that was it. Signed the paperwork and it was 19 over with. 20 Q. All right. Who is your ex-wife? 21 A. Dana Williams. I believe she's Dana 22 Mosely now. 23 Q. How long were y'all married? 24 A. For 20 years. 25 Q. 20 years?</p> <p style="text-align: right;">Page 16</p>
<p>1 And so anyway, since they couldn't 2 charge her with that, she filed suit. The judge 3 in the case said that what myself and the officer 4 did, that that was within the scope of our duty. 5 No crime was taken place inside the house and 6 nobody was injured, nobody was dead. He said the 7 amount of time we were inside we were justified 8 and came back out. And what the lawsuit was 9 actually settled for was the arrest for the 10 disorderly conduct, which I was not a part of 11 that. 12 Q. So you were named as a defendant in a 13 lawsuit that a lady brought against the County 14 that named you and a couple of other defendants? 15 A. Yes, sir. 16 Q. Do you remember that plaintiff's name? 17 A. I do not. I can't remember what her 18 name was. 19 Q. Do you remember her lawyer's name? 20 A. No, sir. 21 Q. Do you know what the case settled for? 22 A. No, sir, I don't. I was thinking 23 somebody had said a number, but I don't remember 24 now. 25 Q. Have you ever been named as a defendant</p> <p style="text-align: right;">Page 15</p>	<p>1 A. Yes, sir. 2 Q. All right. And so your children are 3 with her? 4 A. Yes. 5 Q. Where does she live? 6 A. She lives in Shubuta, Mississippi. 7 Q. That's over there in that area? 8 A. Yes, sir, it's in Clarke County? 9 Q. How do you spell Shubuta? 10 A. S-H-U-B-U-T-A. 11 Q. S-H-U-B-U-T-A? 12 A. Yes, sir. 13 Q. All right. Any other ex-wives? 14 A. No, sir. 15 Q. How long have you and Chasity been 16 married? 17 A. Five years. 18 Q. Got married young the first time. 19 A. I'm sorry? 20 Q. You must have got married young the 21 first time. 22 A. I was 19. 23 Q. Nineteen? 24 A. Yes, sir. My son was born when I was 16 25 and I was married at 19. So an early start in</p> <p style="text-align: right;">Page 17</p>

<p>1 life. 2 Q. You're only 41? 3 A. Yes, sir. 4 Q. Did you say you were married 12 years or 5 20 years? 6 A. Twenty. Well, it may have been 15. We 7 were together for 20 and married for 15. That's 8 right. I'm sorry. 9 Q. Because that didn't add up if you're 10 only 41. 11 A. Yeah, my fault. I try to block a lot of 12 that time out. 13 Q. All right. I was going to say it looks 14 like you got married at 15 or 16 if you're 41 and 15 been married 25 years. 16 A. No. I was a father at 16, but I got 17 married at 19 in '99. 18 Q. Okay. So divorce litigation. Have you 19 ever been involved in any kind of bankruptcy 20 proceeding? 21 A. Yes, sir. 22 Q. How many times have you been involved in 23 bankruptcy proceeding? 24 A. Once. 25 Q. Chapter 7 or 13?</p> <p style="text-align: right;">Page 18</p>	<p>1 A. Yes, sir. 2 Q. When have you said those words? 3 A. Generally talking about something that 4 you know was on the news or whatever. That's 5 pretty much -- if you're using that one specific 6 phrase, it's usually referring to an article on 7 TV or article in the newspaper or something like 8 that. 9 Q. Have you ever affirmatively said the 10 phrase black lives matter, and if so, can you say 11 it? 12 A. I'm not sure if I have, but yes, sir, 13 black lives matter. 14 Q. Did Marquis Tilman's black life matter? 15 A. Yes, sir. 16 Q. On March 21st, 2019? 17 A. Yes, sir. 18 Q. How so? 19 A. All lives matter. That's our job is to 20 try to protect lives as best as possible. 21 Q. And you wrote a statement -- you did a 22 statement and signed it? 23 A. Yes, sir. 24 Q. All right. So is your statement 25 reflected in what's been Bates stamped as Tilman</p> <p style="text-align: right;">Page 20</p>
<p>1 A. I'm trying to think of the difference. 2 Q. Did you have a job or not? 3 A. Yes. 4 Q. So was it Chapter 13? You had income? 5 A. Yes, sir. 6 Q. Did you get it discharged? 7 A. Yes, sir. 8 Q. What year? 9 A. 2002 I believe. 10 Q. Any workers' comp injuries? 11 A. No. 12 Q. No workers' comp injuries. Have you 13 ever been a member of any racially exclusive 14 group? 15 A. No, sir. 16 Q. Do you believe that black lives matter? 17 A. I'm sorry? 18 Q. Do you believe that black lives matter? 19 A. I believe all lives matter, yes. 20 Q. Including black lives? 21 A. Yes, sir. 22 Q. Have you ever said the words black lives 23 matter? 24 A. Yes, sir. 25 Q. You have? When?</p> <p style="text-align: right;">Page 19</p>	<p>1 93 and 94, a two-page statement? 2 A. I'm sorry some of that was frozen. I 3 didn't hear exactly. 4 Q. Is this your statement? Is that your 5 signature? Can you see that? 6 A. I can see my signature. I can't read 7 the words. The words are blurred, but I can see 8 my signature, yes, sir. 9 MR. MOORE: Let the record reflect that 10 he's identified his signature. 11 BY MR. MOORE: 12 Q. Did you do a statement with regards to 13 what happened with Marquis Tilman? 14 A. Yes, sir. 15 Q. What was the date of that statement? 16 A. I believe it was March 22nd, the day 17 after. 18 Q. Who asked you to do the statement? 19 A. That I don't remember. It would have 20 been whichever investigator was going to charge 21 the felony eluding charge. 22 Q. All right. 23 MR. MOORE: Madam court reporter, I'm 24 going to mark his statement as Exhibit 1 to the 25 deposition. It's Bates stamped CLT Tilman 93 and</p> <p style="text-align: right;">Page 21</p>

<p>1 CLT Tilman 94. I'll have my assistant email that 2 to you.</p> <p>3 COURT REPORTER: Perfect. Thank you.</p> <p>4 That will be Exhibit 1.</p> <p>5 (WHEREUPON, THE ABOVE-MENTIONED DOCUMENT 6 WAS MARKED AS EXHIBIT NO. 1 TO THE TESTIMONY OF 7 THE WITNESS AND IS ATTACHED HERETO.)</p> <p>8 BY MR. MOORE:</p> <p>9 Q. Tell me in your own words what happened 10 on or about March 21st, 2019 in regards to Clarke 11 County Sheriff's Department personnel and Marquis 12 Tilman.</p> <p>13 A. You did say tell me in my own words what 14 happened on that date with the sheriff's 15 department? It was garbled. I apologize.</p> <p>16 Q. Yes, what happened with the sheriff's 17 department and Marquis Tilman?</p> <p>18 A. Okay. On that date the sheriff's 19 department had a meeting with the DA's office to 20 go over things that she wanted to see as far as 21 how our cases were put together, what things were 22 in our reports and cases that we sent to her for 23 grand jury. We were at the Clarke County 24 Courthouse in Quitman where that meeting took 25 place.</p> <p style="text-align: right;">Page 22</p>	<p>1 upwards towards 100 miles an hour.</p> <p>2 Once they got to Highway 45 he said that 3 they turned north and headed towards Lauderdale 4 County. Once I got up there -- I was in a 2018 5 Chevrolet Tahoe which was faster than most of the 6 other cars that we had at the time. So I was 7 behind Joey Moulds who was the Chief of 8 Enterprise; he was in a Dodge Charger. And so I 9 was behind him. We were able to pass a few of 10 the other units to try to catch up to the actual 11 pursuit.</p> <p>12 Agent Ivy keyed up and said multiple 13 times that Tilman was reaching all the way over 14 into the passenger side floorboard like he was 15 trying to frantically grab for something. He 16 said he was going at speeds which were upwards of 17 100 miles an hour. Sometimes a little over, 18 sometimes a little less. They were slowing down 19 and it looked like Tilman was going to turn west 20 onto Highway 514.</p> <p>21 That's about the time that I caught up 22 to it. And what I saw was Joey Moulds and the 23 Charger had just caught up to Tilman's vehicle. 24 When they both turned and got into the median, 25 the cross-over there, Tilman made a U-turn and</p> <p style="text-align: right;">Page 24</p>
<p>1 After the meeting I was standing outside 2 of the courthouse. I was talking with Sheriff 3 Kemp and I believe it was Chief Mike McHarra of 4 the Quitman Police Department just standing out 5 there. We heard on the radio that at the time 6 narcotics agent Ben Ivy, he keyed up on the radio 7 and said that he was attempting to stop a vehicle 8 and that the vehicle was not stopping and that it 9 was -- he identified the driver as Marquis 10 Tilman. He told us on the radio that he had 11 gotten an anonymous tip that there was supposed 12 to be a stolen firearm in the vehicle.</p> <p>13 At that time he said that he was 14 approaching Archusa Avenue and said that the 15 suspect vehicle ran a stop sign, went across 16 Archusa, and he called the code for chase in 17 progress, which for us is a 1094. When that took 18 place everybody that was outside, we ran to our 19 vehicles.</p> <p>20 I followed Sheriff Kemp. We turned on 21 Long Boulevard in case when Tilman's vehicle got 22 to North Jackson, if he turned south we could try 23 to stop him there. When he got to North Jackson, 24 Agent Ivy said that he turned north. We tried to 25 catch up. He said that speeds were running</p> <p style="text-align: right;">Page 23</p>	<p>1 came back around and headed back north. At that 2 time I caught up and I passed Tilman on the 3 passenger's side. And when I looked over he was 4 leaned all the way into the passenger's 5 floorboard. He still had one hand on the 6 steering wheel reaching into the passenger 7 floorboard like he was trying to grab something. 8 He did not have a seatbelt on.</p> <p>9 I got in front of him. Normally that's 10 just what I do in a chase is I try to get in 11 front and try to slow the vehicle down so we can 12 get the speeds down to where it's a minimal risk 13 to anybody as possible.</p> <p>14 As I got in front of him, then Deputy 15 Anthony Chancellor, he came up beside on the 16 passenger side of Tilman. In my passenger's side 17 mirror I saw where Tilman's vehicle veered to the 18 right and struck the side of Deputy Chancellor's 19 Durango. He went off into the grass. And 20 Tilman's vehicle darted back over towards mine. 21 And at the time I was a K-9 handler, and my K-9 22 was in that back corner of the Tahoe. So I went 23 into the grass in the median and sped up to make 24 sure that my vehicle didn't get hit where my dog 25 was at.</p> <p style="text-align: right;">Page 25</p>

<p>1 As I sped up, the next turn-around that 2 he came to, Tilman hit that turn-around and 3 headed back south on Highway 45. So I advised 4 all other units that he was headed back 5 southbound on 45. I found a place to turn around 6 and come back.</p> <p>7 When I was catching back up to it there 8 was one of the crossovers -- I don't remember if 9 -- I believe it was south of 514, but Sheriff 10 Kemp had come across in his vehicle and had come 11 into the southbound lane with his lights and 12 sirens going hoping that Tilman would stop there. 13 Basically Tilman went towards his vehicle and 14 Sheriff Kemp drove off into the median and had to 15 spin off down there.</p> <p>16 Whenever I caught back up to the 17 vehicle, Chief Moulds was in front and Tilman's 18 vehicle darted over towards his car. He was able 19 to move to the left to avoid the collision. And 20 he sped up in front and that's when Deputy 21 Chancelor said that he was going to try to hit 22 the back of the vehicle to get it to spin around 23 on the side of the road so that we could stop the 24 chase because we had three schools in the area 25 that were letting out at that time, and we had to</p> <p style="text-align: right;">Page 26</p>	<p>1 put both of his hands under him where he 2 waistband was. He started to pull his knee up to 3 get up. I ran over, holstered my weapon. My 4 right knee I put on his right shoulder to make 5 sure he could not get up until I could get a hold 6 of his hand. Once I grabbed a hold of his arm, I 7 moved my knee and put it in front of his shoulder 8 on the ground, so that he could not move forward, 9 and I used my left knee to put on his elbow.</p> <p>10 I was trying to -- I pulled his arm out 11 so that we could make sure he didn't have a gun 12 in his waistband or that he didn't have one in 13 his hands. And my concern was the safety of my 14 people and also Mr. Tilman if he was laying on a 15 gun of it going off under there.</p> <p>16 We told him multiple times to release 17 his hands, pull his hands out, put his hands 18 behind his back. He continued to struggle. 19 Began kicking. Chief Mulls came up from what 20 would be behind him basically and tried to gain 21 control of his legs by holding his ankles. And 22 we could not get Tilman to let go of his grip to 23 get his hands out and make sure there was nothing 24 in his hands, nothing under him or so that we 25 could get him handcuffed.</p> <p style="text-align: right;">Page 28</p>
<p>1 get it stopped before we got back anywhere into 2 where school traffic was.</p> <p>3 Deputy Chancelor hit the rear driver's 4 side fender of the vehicle causing the vehicle to 5 spin around onto side of the road. Once it came 6 to a stop from that, the vehicle started to move 7 forward again. And at that time Ben Ivy, he was 8 in a '14 Dodge Ram at the time, he came up and 9 rammed the driver's side door to try to disable 10 the vehicle enough to stop it from getting back 11 on the road. When he did, Mr. Tilman bounced 12 over to the passenger side of the vehicle because 13 he was not wearing a seatbelt.</p> <p>14 I pulled up and stopped. I jumped out, 15 went around the back of the vehicle. Deputy 16 Chancelor was coming around the front of the 17 vehicle. At that time I heard two shots that 18 went off. And I turned and looked, and Deputy 19 Chancelor had shot the passenger's side tire to 20 make sure the vehicle was completely disabled. 21 When he did that, Tilman swung the door open and 22 dove out of the car with his hands out in front 23 of him. It basically looked like a baseball 24 slide. And dove out.</p> <p>25 When he hit the ground he immediately</p> <p style="text-align: right;">Page 27</p>	<p>1 My intent was to hit him between the 2 shoulder blades to basically get his chest to -- 3 his shoulder blades to go back to make him break 4 his grip. When I did attempt that, Joey Mulls, 5 he leaned forward and I hit him in the head. And 6 at that time everybody kind of stopped and just 7 looked at Joey. And I don't know if Mr. Tilman 8 decided to just give up and comply at that point 9 or if he was trying to rest, but you could feel 10 when he released his grip. So we went ahead and 11 pulled his hands out. Justin Rawson I believe 12 was the one that handcuffed him.</p> <p>13 Everybody was trying to catch his 14 breath. I looked down at Mr. Tilman and he said 15 that he was having trouble breathing. So I 16 rolled him onto his side and I asked him if that 17 was any better, and he said that he needed to 18 stretch his leg out because it hurt. When I 19 looked down at his leg that's when I realized 20 that he had a short cast -- I do not remember 21 which leg it was at this point, but he had a 22 short cast on that.</p> <p>23 So what we did was we sat him up, we 24 leaned him up against the back tire of his 25 vehicle. We stretched his legs out so that they</p> <p style="text-align: right;">Page 29</p>

<p>1 were not in any kind of bind. I asked him was 2 that better. He said his leg felt better. I 3 asked him how was his breathing, and he said it 4 was a lot better. 5 I asked him what happened to his leg, 6 and he said he had been in a car wreck the week 7 before or two weeks before. I don't remember 8 exactly. I believe it was the week before, is 9 what he said, in Meridian. So I asked him was 10 his breathing okay, was he good right there, and 11 he said yes. 12 At that point Sheriff Kemp walked up and 13 said that we still had a couple of vehicles 14 parked in the right lane of Highway 45 and we 15 needed to make sure we had traffic control. And 16 I told the other deputies to sit with Mr. Tilman 17 until they decided which vehicle he was going to 18 be transported in, and I went back out to 45 to 19 help direct traffic because I didn't want to move 20 the vehicles at that point. 21 Q. All right. Thank you for telling me in 22 your own words what happened on that tragic day 23 of Thursday, March, 21st of 2019. 24 Does your report say everything you just 25 told me verbally?</p> <p style="text-align: right;">Page 30</p>	<p>1 road -- a couple of years down the road? 2 A. It's the same on that instance. 3 Q. So why didn't you put it in your report 4 if you're telling me here today about the 5 waistband? 6 A. Like I said, I do not remember. 7 Q. Are you under the influence of any 8 medicines, drugs, or alcohol that would affect 9 your memory here today? 10 A. No, sir. 11 Q. Do you use drugs? 12 A. No, sir. 13 Q. Alcohol? 14 A. Yes, sir. 15 Q. How often do you drink? 16 A. Maybe once every two or three weeks. 17 Q. What's your beverage of choice? 18 A. My beverage of choice would be American 19 Honey. 20 Q. And you drink American Honey every two 21 to three weeks? 22 A. Sometimes, yes. It just depends on what 23 the occasion is or if I just want to sit down and 24 have a small glass of alcohol. 25 Q. Okay. But you prefer liquor over beer</p> <p style="text-align: right;">Page 32</p>
<p>1 A. Pretty much I would think, yes, sir. 2 Q. Isn't it true that your report does not 3 mention that his hands went towards his 4 waistband? 5 A. I do not recall. 6 Q. Page 2 of your report, isn't it true 7 that it says, "At this time Tilman dove out of 8 the passenger door with his hands out in front of 9 him and laid face down on the ground."? 10 A. Yes, sir, I believe it does. 11 Q. "When officers tried to put handcuffs on 12 Tilman, he began resisting and fighting the 13 officers." 14 So can you tell me where in your report 15 that you mentioned his hands going towards his 16 waistband? 17 A. So if that is what it says, no, sir, I 18 did not put that in there. 19 Q. Why didn't you put that in there if that 20 was in fact true? No coaching from your counsel. 21 A. Sir, I don't remember. That was two 22 years ago. I do not remember why. 23 Q. Do you believe your memory would have 24 been fresher on the day after the incident, or do 25 you believe it's fresher now three years down the</p> <p style="text-align: right;">Page 31</p>	<p>1 or wine? 2 A. Yes, sir. 3 Q. Isn't it true, Deputy Lewis, that you 4 and your colleagues beat this man unmercifully? 5 A. No, sir. 6 Q. That's not true? 7 A. No, sir. 8 Q. Isn't it true (inaudible). 9 A. I'm sorry? All I heard was isn't it 10 true. 11 Q. Isn't it true that you Billy Lewis 12 (inaudible) while he was in handcuffs? 13 COURT REPORTER: You broke up again, 14 Mr. Moore. 15 BY MR. MOORE: 16 Q. Isn't it true that you Deputy Lewis 17 struck Mr. Tilman while he was in handcuffs? 18 A. No, sir. 19 Q. Isn't it true that once Mr. Tilman was 20 out of the vehicle that he readily surrendered to 21 the deputies? 22 A. No, sir, that's not true. 23 Q. Isn't it true that the deputies stormed 24 Mr. Tilman's vehicle and violently threw 25 Mr. Tilman to the ground and commenced to</p> <p style="text-align: right;">Page 33</p>

<p>1 brutally beat him?</p> <p>2 A. No, sir.</p> <p>3 Q. Isn't it true that Mr. Tilman was beaten</p> <p>4 by one or more deputies on that day after he was</p> <p>5 in handcuffs?</p> <p>6 A. No, sir.</p> <p>7 Q. Isn't it true that he was stomped after</p> <p>8 being placed in handcuffs?</p> <p>9 A. No, sir.</p> <p>10 Q. Isn't it true that he was kicked by</p> <p>11 deputies after being placed in handcuffs?</p> <p>12 A. No, sir.</p> <p>13 Q. Isn't it true that he was punched by</p> <p>14 Clarke County deputies after he was placed in</p> <p>15 handcuffs?</p> <p>16 A. No, sir.</p> <p>17 Q. Isn't it true that he was kneed by one</p> <p>18 or more deputies after he was placed in</p> <p>19 handcuffs?</p> <p>20 A. No, sir.</p> <p>21 Q. Isn't it true that he was repeatedly</p> <p>22 assaulted by one or more deputies when he was</p> <p>23 placed in handcuffs?</p> <p>24 A. No, sir.</p> <p>25 Q. Isn't it true that he suffered injuries</p> <p style="text-align: right;">Page 34</p>	<p>1 Q. Who (inaudible).</p> <p>2 A. I'm sorry, you stopped again. Who</p> <p>3 caused?</p> <p>4 COURT REPORTER: I believe his question</p> <p>5 was who caused the car wreck.</p> <p>6 A. Okay. The first one he caused, the</p> <p>7 second one was deputy Anthony Chancellor, and the</p> <p>8 third was Deputy Ben Ivy.</p> <p>9 Q. Did you ever try to stop any of your</p> <p>10 colleagues from hitting, kicking, stomping, or</p> <p>11 injuring Mr. Tilman?</p> <p>12 A. No, sir, I didn't try to stop them</p> <p>13 because nobody did that.</p> <p>14 Q. You didn't see anyone hit him at all,</p> <p>15 assault him at all?</p> <p>16 A. No, sir.</p> <p>17 Q. Do you believe he's making all of this</p> <p>18 up?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Why do you believe he's making this up?</p> <p>21 A. I do not know why he would make it up.</p> <p>22 Q. Did he ask to be seen at the hospital?</p> <p>23 A. I don't know after he got out of jail.</p> <p>24 He didn't there on the scene while I was there</p> <p>25 with him.</p> <p style="text-align: right;">Page 36</p>
<p>1 to his face, eyes, and chest at the hands of the</p> <p>2 Clarke County deputies?</p> <p>3 A. No, sir.</p> <p>4 Q. Did he suffer any injuries?</p> <p>5 A. That I do not know.</p> <p>6 Q. Did you look at him after he was</p> <p>7 arrested --</p> <p>8 A. I'm sorry, did I look at him when?</p> <p>9 Q. After he was placed in handcuffs?</p> <p>10 A. Yes, sir.</p> <p>11 Q. How did he appear?</p> <p>12 A. He appeared fine. He appeared like he</p> <p>13 had been in a car wreck. He was out of breath</p> <p>14 and everything. But from what I do remember</p> <p>15 there was one little spot of blood on his lip.</p> <p>16 But other than that, no, sir.</p> <p>17 Q. Did you bust him in the mouth?</p> <p>18 A. No, sir.</p> <p>19 Q. Who busted him in the mouth.</p> <p>20 A. No one.</p> <p>21 Q. How did his lip start bleeding?</p> <p>22 A. He was basically in three car wrecks in</p> <p>23 a matter of a few minutes.</p> <p>24 Q. Who caused the car wrecks?</p> <p>25 A. Who caused what?</p> <p style="text-align: right;">Page 35</p>	<p>1 Q. He complained of having trouble</p> <p>2 breathing on the scene.</p> <p>3 A. Yes, sir.</p> <p>4 Q. Was he transported to the jail or to the</p> <p>5 hospital?</p> <p>6 A. He was transported to the jail, and from</p> <p>7 my understanding, our Paratech ambulance service</p> <p>8 met them at the jail.</p> <p>9 Q. Why were the Paratech paramedics called</p> <p>10 to the jail for him?</p> <p>11 A. I'm sorry?</p> <p>12 Q. Why were the paramedics dispatched to</p> <p>13 the jail for Mr. Tilman?</p> <p>14 A. I do not know. I didn't call them.</p> <p>15 From my understanding, Chief Deputy White did.</p> <p>16 But I would -- I would think it was because the</p> <p>17 man had just been in three car wrecks basically.</p> <p>18 Q. Just because you are involved in a car</p> <p>19 wreck does that mean you need to go to the</p> <p>20 hospital if you're not injured?</p> <p>21 A. I'm sorry? Do what now?</p> <p>22 Q. Just because you're in a car wreck does</p> <p>23 that mean you have to go to a hospital?</p> <p>24 A. Just because you're in a car wreck?</p> <p>25 Q. Correct.</p> <p style="text-align: right;">Page 37</p>

<p>1 A. No, sir.</p> <p>2 Q. What was so special about him having to</p> <p>3 go to the hospital?</p> <p>4 A. I do not know. You would have to ask</p> <p>5 the ones that called the ambulance.</p> <p>6 Q. Did you call the ambulance?</p> <p>7 A. Did you ask if I called the ambulance?</p> <p>8 Q. Correct.</p> <p>9 A. No, sir, I did not.</p> <p>10 Q. Why not?</p> <p>11 A. Did you ask why not?</p> <p>12 Q. Correct.</p> <p>13 A. Because that was left up to the</p> <p>14 supervisor on the scene.</p> <p>15 Q. Did you have any supervisory</p> <p>16 responsibilities on that date?</p> <p>17 A. No, sir.</p> <p>18 Q. What was your rank that day?</p> <p>19 A. Deputy.</p> <p>20 Q. Do you have any other rank besides</p> <p>21 deputy and sheriff?</p> <p>22 A. Basically if you're an investigator</p> <p>23 you're -- the policy says you've labeled as a</p> <p>24 sergeant, but that really means nothing here.</p> <p>25 You have no supervisory duties or anything like</p> <p style="text-align: right;">Page 38</p>	<p>1 Police Academy. I've been to -- I've been to the</p> <p>2 NRA Firearms Instructor School twice. I've been</p> <p>3 through narcotics investigation classes through</p> <p>4 RCTA in Meridian. Also some on the coast in</p> <p>5 Biloxi through RCTA. I've been to report writing</p> <p>6 schools. I've been to courtroom testimony</p> <p>7 schools. I've been to new chief training when I</p> <p>8 was in Stonewall.</p> <p>9 I've been through a few search and</p> <p>10 rescue classes through the -- what was the</p> <p>11 Mississippi Homeland Security Task Force.</p> <p>12 Q. All right. Any college?</p> <p>13 A. I've had college but no degree.</p> <p>14 Q. Which college did you go to?</p> <p>15 A. The first time I went to Jones County</p> <p>16 Junior College where at first I was a</p> <p>17 pre-engineering major and then I switched to</p> <p>18 criminal justice. Life kind of got in the way.</p> <p>19 A job opportunity opened up with the Quitman</p> <p>20 Police Department, and I took it.</p> <p>21 And then the second time I went back it</p> <p>22 was to Meridian Community College where I was in</p> <p>23 the PTA program. And again, life got in the way.</p> <p>24 I had a family a lot bigger than could afford it</p> <p>25 and had to go back to work.</p> <p style="text-align: right;">Page 40</p>
<p>1 that, so we don't go by that.</p> <p>2 Q. So there's no captains, lieutenants,</p> <p>3 sergeants really?</p> <p>4 A. No, sir.</p> <p>5 Q. So you're either chief deputy sheriff or</p> <p>6 deputy?</p> <p>7 A. Yes, sir.</p> <p>8 Q. No other classifications?</p> <p>9 A. Criminal investigator and narcotics</p> <p>10 investigator is the only other thing.</p> <p>11 Q. Okay. How do you decide who is over a</p> <p>12 shift? Is there a shift commander?</p> <p>13 A. Usually it's the senior deputy,</p> <p>14 whoever's got the most experience. And then</p> <p>15 usually if there's a serious situation, a call</p> <p>16 has to be made to the chief deputy or the sheriff</p> <p>17 to get confirmation of if that's how things need</p> <p>18 to be approached and dealt with. We're very</p> <p>19 small.</p> <p>20 Q. What kind of law enforcement (inaudible)</p> <p>21 do you have?</p> <p>22 A. What kind of law enforcement what?</p> <p>23 Q. Training.</p> <p>24 A. I went to the South Regional Public</p> <p>25 Safety Institute in 2002 which is the basic</p> <p style="text-align: right;">Page 39</p>	<p>1 Q. All right. What if anything could have</p> <p>2 been done differently in regards to accosting</p> <p>3 Mr. Tilman on March 21st, 2019?</p> <p>4 A. In my honest opinion, it was done as</p> <p>5 best as it could be.</p> <p>6 Q. Okay. Why do you think you're being</p> <p>7 sued?</p> <p>8 A. Honestly, I don't know. This day and</p> <p>9 age everybody likes to sue everybody.</p> <p>10 Q. Isn't it true that -- could you hear the</p> <p>11 radio traffic on that day?</p> <p>12 A. Yes, sir.</p> <p>13 Q. As the vehicle chase was going on you</p> <p>14 could hear the radio traffic?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Isn't it true that Sheriff Kemp told the</p> <p>17 individuals once they caught Mr. Tilman to beat</p> <p>18 him?</p> <p>19 A. Yes, sir. His actual -- well, I don't</p> <p>20 know the exact words, but what I do remember is</p> <p>21 he said shut him down and beat his ass. Yes,</p> <p>22 sir.</p> <p>23 Q. And how did you feel when you heard</p> <p>24 this?</p> <p>25 A. At that time is when I saw that</p> <p style="text-align: right;">Page 41</p>

<p>1 Mr. Tilman drove head on into Sheriff Kemp. 2 Sheriff Kemp had to drive down into the ditch and 3 almost wrecked his truck. That's when he said 4 that. And what I understood was it was in the 5 heat of the moment and it ticked him off 6 basically. He said that and nobody paid 7 attention to it. 8 Q. You have to follow commands of your 9 superior officers, don't you? 10 A. Unless they violate law or unless they 11 put somebody in danger. 12 Q. And would it have violated the law for 13 you were to beat Mr. Mr. Tilman's ass as the 14 sheriff commanded you to do? 15 A. Yes, sir. 16 Q. Why do you say that? 17 A. Because that would put him in danger of 18 being harmed. 19 Q. So you're telling me you didn't follow 20 your commanding officer's direct to beat 21 Mr. Tilman's ass? 22 A. Yes, sir. 23 Q. And you still have a job? 24 A. Yes, sir. 25 Q. Why do you think you still have a job if</p> <p style="text-align: right;">Page 42</p>	<p>1 job like you're supposed to. 2 Q. Did he ever correct himself when he 3 realized that he had overreacted, and did he ever 4 get back on the radio and tell you disregard my 5 command, disregard my command? 6 A. No, sir. 7 Q. Wouldn't that be the proper thing to do 8 once you come to your senses so people won't try 9 to carry out your command? 10 A. If there had been more time, possibly. 11 Q. What do you mean? 12 A. Because a few seconds after that was 13 said -- because whenever he was saying that, the 14 plan was already made to try to spin the car out 15 to get the chase stopped. So by the time that he 16 actually said that, we were already in the 17 process of trying to get the car stopped. 18 Q. So what you're telling me, you were 19 already in the process of following his command? 20 A. No, sir. 21 Q. You were in the process of shutting it 22 down, correct? 23 A. Yes, sir, that part of shutting down the 24 chase. 25 Q. All right. So you're telling me that</p> <p style="text-align: right;">Page 44</p>
<p>1 you didn't follow a command of a superior 2 officer? 3 A. Because the sheriff didn't mean what he 4 said. It was heat of the moment. Afterwards he 5 said I cannot believe I said that. He said that 6 was stupid. 7 But we know how to do our job and we 8 know how to do our job professional. And we know 9 that is not right. That's not how you do things, 10 and we don't do that. 11 Q. Were you shocked when the sheriff said 12 that, just to hear those words come out of the 13 sheriff's mouth, the chief law enforcement 14 officer for the county told you to beat 15 somebody's ass? Shut him down and beat his ass? 16 A. I was disappointed, yes, sir. 17 Q. Did you convey to the sheriff your 18 disappointment? 19 A. Yes, sir. 20 Q. What did you tell him? 21 A. I told him I can't believe you said 22 that. When he said, I can't believe I said that, 23 I said I can't either. I said, everybody heard 24 that and you should not have said it. He said, I 25 know I shouldn't have said it, but y'all did your</p> <p style="text-align: right;">Page 43</p>	<p>1 people only heard the first -- only decided to 2 obey the first part of the command and not the 3 second part? 4 A. If had nothing to do with the command. 5 It was time -- the chase had to stop before we 6 got back to where schools were letting out. 7 Q. Do you believe that any of the younger 8 officers with less experience than you may have 9 decided that they had to obey the sheriff? 10 A. No. 11 Q. You don't think so? 12 A. No, sir. 13 Q. Could you see every deputy's reaction to 14 the sheriff's command? 15 A. No, sir. 16 Q. So there may have been some who took the 17 sheriff's command literally and beat the man's 18 ass, correct? 19 A. I don't know how they took it personally 20 inside of their vehicles, but I know that on the 21 side of the road while he was being placed in 22 handcuffs nobody beat him. Yes, sir, I do know 23 that. 24 Q. And you were there from the entirety of 25 the situation?</p> <p style="text-align: right;">Page 45</p>

<p>1 A. Yes, sir, from the time the car stopped 2 and he dove out of the car until we got him in 3 handcuffs and set him up and leaned him against 4 his vehicle so he could breathe and stretch his 5 legs out. Yes, sir. 6 Q. So you're telling me Deputy Ivy did not 7 beat the man in handcuffs? 8 A. No, sir. 9 Q. You're telling me that Deputy Touchstone 10 did not beat the man in handcuffs? 11 A. No, sir. 12 Q. Did you ever see them beat him outside 13 of handcuffs? 14 A. No, sir. 15 Q. So nobody beat him at all? 16 A. No, sir. 17 Q. You told me there had been a struggle. 18 Your report says there was a struggle; he began 19 resisting and fighting the officers. So you're 20 telling me that this man was fighting the 21 officers and the officers didn't fight back? 22 A. Yes, sir. The main thing we were trying 23 to do was to get his hands out from under him to 24 handcuff him to verify that there either was or 25 was not a gun under him. Because he never got up</p> <p style="text-align: right;">Page 46</p>	<p>1 handcuff him safely. 2 Q. Isn't it ironic your name is Billy? 3 A. I've been called Billy Bob, Billy goat. 4 All kind of things. My name doesn't bother me. 5 Q. Have you ever been called Billy Bad Ass? 6 A. No. 7 Q. That's a first? 8 A. Yes, sir. 9 Q. But you accept the Billy part but not 10 the bad ass? 11 A. Yes, sir, that is correct. 12 Q. So you were doing it as a good ass? 13 A. I was trying to bring -- a quick an end 14 as possible with no one getting hurt. 15 Q. Okay. Had you been properly trained to 16 do that as a legit maneuver? 17 A. I don't know if it was actually part of 18 a training process, but when I was in the academy 19 we went over things like that. We had an 20 instructor that was there that actually got us to 21 lay down on the ground and hold our hands 22 together underneath us to show that even a 23 110-pound woman, that a 280-pound man is going to 24 have trouble to break her grip underneath. And 25 one of the things that the officer showed was</p> <p style="text-align: right;">Page 48</p>
<p>1 off the ground. There was no need for anybody to 2 beat him. We were just trying to get his arms 3 out from under him for our safety and his. 4 Q. But you told me that one of the 5 maneuvers you attempted to use on him was a 6 strike to the back of -- you intended to strike 7 him somewhere on his body. 8 A. Yes, sir, in between his shoulder 9 blades. 10 Q. Okay. And so did anybody else attempt 11 to strike him? 12 A. No, sir. 13 Q. So you were Billy Bad Ass, the one going 14 (inaudible) -- 15 COURT REPORTER: Please repeat that. I 16 didn't hear that question. 17 BY MR. MOORE: 18 Q. So you were Billy Bad Ass. You were 19 going to be the one to try to strike him; is that 20 right? 21 A. No, I was not trying to be a Billy 22 bad ass, but yes, sir, I was trying to strike him 23 for pain compliance to try to get his shoulder 24 blades to pull back to attempt to release his 25 grip so that we could get his hands out and</p> <p style="text-align: right;">Page 47</p>	<p>1 that if you can get them to move their shoulder 2 blades back then sometimes it will release their 3 grip. 4 Q. But you don't know if that was an 5 authorized procedure or not? 6 A. Like I said, I don't know what the 7 actual curriculum of the academy was, but there 8 was an instructor that showed us that while I was 9 in the academy. 10 Q. Had the procedure ever been adopted by 11 the Clarke County Sheriff's Department, that 12 maneuver? 13 A. Can you repeat that? It broke up again. 14 Q. Had that maneuver ever been adopted or 15 authorized by the Clarke County sheriff? 16 A. That I don't know. 17 Q. Was the sheriff ever disciplined by any 18 law enforcement agency, state auditor, or state 19 Attorney General or anyone for his comment to 20 beat somebody's ass? 21 A. I did not hear the first of that. The 22 first thing I actually was able to hear was state 23 auditor. 24 Q. Was the sheriff ever disciplined by any 25 law enforcement agency for his command to beat</p> <p style="text-align: right;">Page 49</p>

<p>1 the man's ass?</p> <p>2 A. Not that I'm aware of.</p> <p>3 Q. Did you arrest the sheriff for any act</p> <p>4 that day?</p> <p>5 A. Did I arrest the sheriff for his action?</p> <p>6 Was that your question?</p> <p>7 Q. Yes.</p> <p>8 A. No, sir, I did not.</p> <p>9 Q. Why not?</p> <p>10 A. One, it wasn't my place. And two, I did</p> <p>11 not see where there should be anything for the</p> <p>12 sheriff to be charged with.</p> <p>13 Q. Assault?</p> <p>14 A. No, sir.</p> <p>15 Q. Why would that not be assault?</p> <p>16 A. For the sheriff?</p> <p>17 Q. Yes.</p> <p>18 A. Because the sheriff never touched him.</p> <p>19 He never placed hands on him to even put him in</p> <p>20 handcuffs.</p> <p>21 Q. Do you know if Mr. Tilman heard the</p> <p>22 command to beat his ass?</p> <p>23 A. I do not know. I wouldn't think so</p> <p>24 because it was in the radio in our cars, and he</p> <p>25 was still traveling down the road when that was</p> <p style="text-align: right;">Page 50</p>	<p>1 A. Yes, sir.</p> <p>2 Q. Do you believe we would be here if the</p> <p>3 sheriff hadn't have been crazy enough to say that</p> <p>4 on the radio?</p> <p>5 A. Be here today?</p> <p>6 Q. Yes.</p> <p>7 A. That I can't say because like I said I</p> <p>8 don't know if Mr. Tilman would have wanted to do</p> <p>9 the lawsuit regardless of if he ever knew that</p> <p>10 was said or if the sheriff had ever said that. I</p> <p>11 don't know what his motivation is for the</p> <p>12 lawsuit.</p> <p>13 Q. Has the sheriff been re-elected since he</p> <p>14 said this in March of 2019?</p> <p>15 A. I believe so. I believe we had another</p> <p>16 election in 2020.</p> <p>17 Q. Okay. Or it could have been the fall of</p> <p>18 2019?</p> <p>19 A. Could have been. Maybe he re-took</p> <p>20 office in 2020.</p> <p>21 Q. Okay. Is there a problem with racism in</p> <p>22 your county?</p> <p>23 A. No, sir.</p> <p>24 Q. What's the demographics between black</p> <p>25 and white, percentage white and percentage black?</p> <p style="text-align: right;">Page 52</p>
<p>1 said.</p> <p>2 Q. How do you believe Mr. Tilman found out</p> <p>3 about the statement?</p> <p>4 A. In my honest opinion, it was other</p> <p>5 people that had radios around in the county that</p> <p>6 know his family, that know him, and said, hey, I</p> <p>7 heard this on the radio while they were chasing</p> <p>8 you.</p> <p>9 Q. So the public has access to one of the</p> <p>10 channels on the law enforcement?</p> <p>11 A. Some people do. We have another deputy</p> <p>12 that is courthouse security that has that radio</p> <p>13 with that channel. I know I heard several people</p> <p>14 were standing there by him listening to the chase</p> <p>15 as it was going on. People in dispatch, they</p> <p>16 heard it. At the time dispatch was also in the</p> <p>17 courthouse. It had not moved to our EMA building</p> <p>18 yet. So people could have heard it any place in</p> <p>19 there pretty much.</p> <p>20 Q. Was it the talk of the town or the</p> <p>21 county that the sheriff had said beat somebody's</p> <p>22 ass?</p> <p>23 A. For about a day.</p> <p>24 Q. That news would spread pretty fast,</p> <p>25 wouldn't it?</p> <p style="text-align: right;">Page 51</p>	<p>1 A. That I don't know definite numbers. I</p> <p>2 know the Quitman school district is -- the last I</p> <p>3 believe was pretty much half and half, but as far</p> <p>4 as exact numbers, I don't know.</p> <p>5 Q. How many blacks on your Board of</p> <p>6 Supervisors versus whites?</p> <p>7 A. Two to three. Three white, two black.</p> <p>8 Q. Are there any black deputies on the</p> <p>9 force?</p> <p>10 A. Yes, sir.</p> <p>11 Q. How many?</p> <p>12 A. Three.</p> <p>13 Q. And how many are white?</p> <p>14 A. Including the sheriff and chief deputy</p> <p>15 or just deputies?</p> <p>16 Q. Including the sheriff and chief deputy.</p> <p>17 A. Eight or nine I believe.</p> <p>18 Q. Okay. So if there's only three black</p> <p>19 out of 12 deputies in the sheriff's department,</p> <p>20 that would be about 25 percent black and 75</p> <p>21 percent white?</p> <p>22 A. I'll give you that. Sounds about right,</p> <p>23 yes, sir.</p> <p>24 Q. Okay. Deputy Touchstone, white?</p> <p>25 A. Yes, sir.</p> <p style="text-align: right;">Page 53</p>

<p>1 Q. Deputy Rawson, white?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Deputy Evans, white?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Deputy Chancellor, white?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Deputy Ivy, white?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Where were your black deputies and</p> <p>10 colleagues?</p> <p>11 A. They were in different locations trying</p> <p>12 to get ahead of the chase or to make sure if he</p> <p>13 turned around and came back they could be there</p> <p>14 to -- they could be involved there to try to keep</p> <p>15 it from getting to the schools.</p> <p>16 Q. Does it surprise you that all the people</p> <p>17 that have been sued are white individuals?</p> <p>18 A. No, sir.</p> <p>19 Q. Do you think that's just coincidental?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Or do you believe the black officers are</p> <p>22 the ones that ignored the sheriff's command to</p> <p>23 beat his ass and the white officers heeded to the</p> <p>24 command and beat that black man's ass?</p> <p>25 A. No, sir, I do not believe that.</p> <p style="text-align: right;">Page 54</p>	<p>1 mistakes like that, do they?</p> <p>2 A. By public standard, no. By human</p> <p>3 standard, everybody makes those mistakes.</p> <p>4 Q. Was Sheriff Kemp present on the scene as</p> <p>5 Mr. Tilman was handcuffed and taken into custody?</p> <p>6 A. I do not believe he was.</p> <p>7 Q. Where was he?</p> <p>8 A. Still trying to catch back up or still</p> <p>9 trying to get to the scene. He was trying to get</p> <p>10 his truck out of the ditch.</p> <p>11 Q. How did his truck get in the ditch?</p> <p>12 A. Whenever the chase was southbound on 45</p> <p>13 Sheriff Kemp pulled out into what would be the</p> <p>14 left lane with his lights going hoping that</p> <p>15 Mr. Tilman would see his truck and stop, and</p> <p>16 Mr. Tilman continued on directly towards him, and</p> <p>17 the sheriff drove off into the median to avoid</p> <p>18 the collision.</p> <p>19 Q. Do you believe in vigilante justice?</p> <p>20 A. No, sir.</p> <p>21 Q. Has the sheriff ever commanded deputies</p> <p>22 to beat a white person's ass in the county?</p> <p>23 A. No, sir.</p> <p>24 Q. How many black asses has he commanded to</p> <p>25 be beat?</p> <p style="text-align: right;">Page 56</p>
<p>1 Q. Whether you believe it or not, did it</p> <p>2 occur?</p> <p>3 A. No, sir.</p> <p>4 Q. If it did occur, would you admit it?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Was anybody disciplined as a result of</p> <p>7 this incident?</p> <p>8 A. Not that I'm aware of, no, sir.</p> <p>9 Q. Who's over internal affairs for the</p> <p>10 Sheriff's department?</p> <p>11 A. We don't have an actual internal</p> <p>12 affairs. Basically the chief deputy and the</p> <p>13 sheriff, if they feel that something inside the</p> <p>14 department needs to be investigated, it is turned</p> <p>15 over to the Mississippi Bureau of Investigation.</p> <p>16 Q. Who is chief deputy?</p> <p>17 A. Barry White.</p> <p>18 Q. Do you believe the sheriff needs to go</p> <p>19 to anger management?</p> <p>20 A. No, sir.</p> <p>21 Q. Why not?</p> <p>22 A. Because people say things in the heat of</p> <p>23 moment that they don't mean, and that's what that</p> <p>24 was.</p> <p>25 Q. People in leadership do not get to make</p> <p style="text-align: right;">Page 55</p>	<p>1 A. The only time I've ever heard that was</p> <p>2 that one time.</p> <p>3 Q. It just happened to be black ass that</p> <p>4 the sheriff command to be beat?</p> <p>5 A. Coincidentally, yes, sir, that was the</p> <p>6 time he chose to make that statement.</p> <p>7 Q. Do you believe he would have</p> <p>8 accidentally given a command to beat a white ass?</p> <p>9 A. In the same instance, yes, sir.</p> <p>10 Q. Does the sheriff see color?</p> <p>11 A. No, sir.</p> <p>12 Q. Do you see color?</p> <p>13 A. No, sir.</p> <p>14 Q. What color am I?</p> <p>15 A. Okay, literally, yes, sir I do see</p> <p>16 color. And yes, you are a black man, yes, sir.</p> <p>17 Q. Do you treat individuals differently</p> <p>18 based on their color?</p> <p>19 A. No, sir.</p> <p>20 Q. Do you have any black friends?</p> <p>21 A. Yes, sir.</p> <p>22 Q. How many?</p> <p>23 A. Well, let's see. Do you consider a</p> <p>24 friend somebody that you speak with every day or</p> <p>25 acquaintances that you still reach out to and</p> <p style="text-align: right;">Page 57</p>

15 (Pages 54 - 57)

<p>1 have contact with? What is your definition?</p> <p>2 Q. I get to ask the questions, you get to</p> <p>3 answer them, sir. Do you have any black friends?</p> <p>4 A. Yes, sir.</p> <p>5 Q. How many?</p> <p>6 A. That I see daily and speak with daily, I</p> <p>7 would say probably eight or nine.</p> <p>8 Q. All right. Can you give me any of their</p> <p>9 names?</p> <p>10 A. Yes, sir. Marcus Pugh, Robert Smith,</p> <p>11 Gary Kelly.</p> <p>12 Q. Marcus -- you say Marcus?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Marcus Pugh?</p> <p>15 A. Yes, sir.</p> <p>16 Q. All right. Who was the other black</p> <p>17 friend?</p> <p>18 A. Robert Smith.</p> <p>19 Q. Next one?</p> <p>20 A. Gary Kelly.</p> <p>21 Q. Okay. Any other black friends that you</p> <p>22 can recall?</p> <p>23 A. Ben Langston.</p> <p>24 Q. You said eight or nine. You've got</p> <p>25 about four or five more to go.</p> <p style="text-align: right;">Page 58</p>	<p>1 A. No, sir.</p> <p>2 Q. Have you ever been to his house?</p> <p>3 A. No, sir.</p> <p>4 Q. Has he been to your house?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Gary Kelly?</p> <p>7 A. I've been to his house. I don't think</p> <p>8 he's been in the house I live in now.</p> <p>9 Q. And Ben Langston?</p> <p>10 A. No, sir.</p> <p>11 Q. Okay. So only one that you've been --</p> <p>12 one of your black friends you've been to their</p> <p>13 house.</p> <p>14 A. Okay.</p> <p>15 Q. Are you afraid to go to your black</p> <p>16 friends' houses?</p> <p>17 A. No, sir.</p> <p>18 Q. Why haven't you been to their houses if</p> <p>19 y'all are friends?</p> <p>20 A. I don't go to many people's houses,</p> <p>21 white, black, Mexican, anything. I like to stay</p> <p>22 to myself.</p> <p>23 Q. Have you grabbed a beer or dinner or</p> <p>24 lunch or breakfast with any of these black</p> <p>25 friends?</p> <p style="text-align: right;">Page 60</p>
<p>1 A. Right. Ben Langston.</p> <p>2 Q. Okay, that's four.</p> <p>3 A. Sir?</p> <p>4 Q. I've got you up to four black friends.</p> <p>5 You told me you had eight or nine.</p> <p>6 A. Okay. And also if it's my definition of</p> <p>7 friendship then just like this weekend when I</p> <p>8 went shopping with my wife I saw -- can you hear</p> <p>9 me? I just saw where you came back on the</p> <p>10 screen.</p> <p>11 Q. I can hear you.</p> <p>12 A. Okay. Just like this weekend when I</p> <p>13 went shopping with my wife and we saw Rico</p> <p>14 Pearson in town, which is an individual I've</p> <p>15 arrested several times, but I still consider him</p> <p>16 a friend. There's pretty much -- I mean, it's</p> <p>17 hard to say this person, this person, this</p> <p>18 person, this person when everybody that I deal</p> <p>19 with daily I try to be a friend to them.</p> <p>20 Q. Okay. Have you ever gone to Marcus</p> <p>21 Pugh's home?</p> <p>22 A. No, sir.</p> <p>23 Q. Has he been in your home?</p> <p>24 A. Yes, sir.</p> <p>25 Q. Robert Smith?</p> <p style="text-align: right;">Page 59</p>	<p>1 A. Yes, sir.</p> <p>2 Q. Which ones?</p> <p>3 A. Lunch, dinner, breakfast.</p> <p>4 Q. With which black friends?</p> <p>5 A. Marcus Pugh, Robert Smith, Ben Langston,</p> <p>6 Gary Kelly. Pretty much anybody that comes in</p> <p>7 when we're eating lunch and wants to sit down</p> <p>8 with us, everybody is welcome.</p> <p>9 Q. How do you know Marcus?</p> <p>10 A. From work.</p> <p>11 Q. He's a coworker?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Is he a deputy?</p> <p>14 A. Yes, sir.</p> <p>15 Q. What about Robert Smith?</p> <p>16 A. The same.</p> <p>17 Q. And Gary Kelly?</p> <p>18 A. The same.</p> <p>19 Q. And Ben Langston?</p> <p>20 A. He works for the Quitman Police</p> <p>21 Department.</p> <p>22 Q. So do you have any black friends from</p> <p>23 high school or earlier?</p> <p>24 A. Yes, sir.</p> <p>25 Q. You didn't tell me their names.</p> <p style="text-align: right;">Page 61</p>

<p>1 A. Like I said, I could sit here and try to 2 name people all day long, but it's the same 3 thing. If you want names of people I went to 4 high school with that I still see today and we 5 still talk and we still talk about the old days. 6 But I do not go to people's houses. I do not 7 like for people to come to my house. I'm a very 8 private person and I like to stay to myself. 9 In my work capacity, I make sure that I 10 do my job and I go home. 11 Q. Do any black people go to your church, 12 or do you not go to church? 13 A. Yes, sir, I go to church. And yes, they 14 do. 15 Q. How many black people go to your church? 16 A. It varies pretty much all the time, but 17 the regulars that are there when I'm there -- 18 let's see. I'm trying to picture in the 19 sanctuary where they sit because I'm not trying 20 to count. In the service that I attend on 21 average there's usually about 40 or 50 -- I mean 22 30 or 40 that are in there. 23 Q. 30 or 40 black people? 24 A. Yes, sir. 25 Q. How many white people?</p> <p style="text-align: right;">Page 62</p>	<p>1 Q. Okay. What do you refer to black people 2 as? 3 A. In what capacity? 4 Q. Do you call them black people? Do you 5 call them colored? Do you call them African 6 American, negro, or worse? What do you call 7 black people? 8 A. Generally African American. 9 Q. Have you ever used the N word? 10 A. Never. 11 Q. You've never used the N word? 12 A. No, sir. My grandmother was extremely 13 strict about that. 14 Q. Were you raised by your grandmother? 15 A. For the most part. I spend most of my 16 time there. My father was always at work and my 17 mother was always at work, so pretty much I spent 18 most of my time -- my grandmother lived right 19 down the road from us, probably 150 yards down 20 the road. And she cooked a lot better than my 21 mother, so. 22 Q. Have you ever heard anyone in the 23 sheriff's department use the N word? 24 A. No, sir. 25 Q. Have you ever heard the sheriff use the</p> <p style="text-align: right;">Page 64</p>
<p>1 A. The service I go to probably I'd say 2 about 120. 3 Q. What's the name of that church? 4 A. Northcrest Baptist Church in Meridian. 5 Q. Northcrest Baptist Church, Meridian. 6 Did you play sports coming up? 7 A. I played a little bit of football in 8 junior high. Other than that, I hurt my knee. I 9 played in the band and was in the choir. 10 Q. What school did you play? 11 A. Quitman. 12 Q. So that was public school? 13 A. Yes, sir. 14 Q. What about your son; did he play any 15 sports coming up? 16 A. No, sir. 17 Q. Your daughter? 18 A. She was a cheerleader for a couple of 19 years at (indiscernible) Academy. 20 Q. Was that a private academy? 21 A. Yes, sir. 22 Q. How many of the cheerleaders were black 23 and how many were white? 24 A. I believe they had two black girls on 25 there and four or five white girls.</p> <p style="text-align: right;">Page 63</p>	<p>1 N word? 2 A. No, sir. 3 Q. If you had heard a colleague use the N 4 word, what would be your response? 5 A. Pretty much what my granny used to tell 6 me was if you don't want to be called something, 7 don't call somebody else anything that they 8 wouldn't like to be called. 9 Q. That's what you try to live by? 10 A. Yes, sir. 11 Q. All right. Let's take a break. I will 12 be -- I think I'm nearing the end for your 13 deposition. 14 (WHEREUPON, A RECESS WAS TAKEN FROM 15 2:47 p.m. UNTIL 2:49 p.m., AT WHICH TIME THE 16 DEPOSITION CONTINUED AS FOLLOWS:) 17 BY MR. MOORE: 18 Q. Back on the record. Deputy Billy Lewis, 19 is there anything you want to tell me that I did 20 not ask, that you were hoping that I asked and 21 you want to convey to me. This is your 22 opportunity to convey anything that you wanted to 23 convey that I may not have asked you about. 24 A. I don't believe so. You've been very 25 thorough.</p> <p style="text-align: right;">Page 65</p>

<p>1 Q. All right. Have I been professional</p> <p>2 with you today?</p> <p>3 A. Yes, sir.</p> <p>4 Q. All right.</p> <p>5 MR. MOORE: I tender the witness.</p> <p>6 MS. MALONE: I don't have any questions</p> <p>7 for this witness.</p> <p>8 MR. MOORE: Okay. We will go to the</p> <p>9 next one.</p> <p>10 (WHEREUPON, THE DEPOSITION CONCLUDED AT</p> <p>11 2:50 P.M.)</p> <p>12 (FURTHER WITNESS SAITH NOT.)</p> <p>13 (SIGNATURE NOT WAIVED.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 66</p>	<p>1 ERRATA SHEET FOR THE TRANSCRIPT OF:</p> <p>2 BILLY LEWIS</p> <p>3</p> <p>4 CORRECTIONS</p> <p>5 Page Line Now Reads Should Read Reasons</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>(Date) Signature of Witness</p> <p>20 Sworn to and Subscribed before me, _____,</p> <p>21 this ____ day of _____, 20__.</p> <p>22</p> <p>23</p> <p>24 4810395</p> <p>25</p> <p style="text-align: right;">Page 68</p>
<p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF MISSISSIPPI:</p> <p>4 COUNTY OF DESOTO:</p> <p>5 I, POLLY W. WARDLAW, Court Reporter</p> <p>6 and Notary Public, DeSoto County, Mississippi,</p> <p>7 CERTIFY:</p> <p>8 The foregoing proceedings were taken</p> <p>9 before me at the time and place stated in the</p> <p>10 foregoing styled cause with the appearances as</p> <p>11 noted.</p> <p>12</p> <p>13 Being a Court Reporter, I then</p> <p>14 reported the proceeding in Stenotype, and the</p> <p>15 foregoing pages contain a true and correct</p> <p>16 transcript of my said Stenotype notes then and</p> <p>17 there taken.</p> <p>18</p> <p>19 I am not in the employ of and am not</p> <p>20 related to any of the parties or their counsel,</p> <p>21 and I have no interest in the matter involved.</p> <p>22</p> <p>23 I FURTHER CERTIFY that in order for</p> <p>24 this document to be considered a true and correct</p> <p>25 copy, it must bear my signature seal, and that</p> <p>any reproduction in whole or in part of this</p> <p>document is not authorized and not to be</p> <p>considered authentic.</p> <p>Witness my signature this, the</p> <p>12th</p> <p><i>Polly Wardlaw</i></p> <p>Polly W. Wardlaw, CCR, LCR</p> <p>Notary Public at Large</p> <p>For the State of Mississippi</p> <p>My Commission Expires:</p> <p>June 4, 2025</p> <p style="text-align: right;">Page 67</p>	<p>1 jmalone@aabalegal.com</p> <p>2 October 12, 2021</p> <p>3 RE: Tilman, Marquis v. Clarke County, Et Al.</p> <p>4 DEPOSITION OF: Billy Lewis (# 4810395)</p> <p>5 The above-referenced witness transcript is</p> <p>6 available for read and sign.</p> <p>7 Within the applicable timeframe, the witness</p> <p>8 should read the testimony to verify its accuracy. If</p> <p>9 there are any changes, the witness should note those</p> <p>10 on the attached Errata Sheet.</p> <p>11 The witness should sign and notarize the</p> <p>12 attached Errata pages and return to Veritext at</p> <p>13 errata-tx@veritext.com.</p> <p>14 According to applicable rules or agreements, if</p> <p>15 the witness fails to do so within the time allotted,</p> <p>16 a certified copy of the transcript may be used as if</p> <p>17 signed.</p> <p>18 Yours,</p> <p>19 Veritext Legal Solutions</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 69</p>

[& - anybody]

&	2025 67:24	601-513-9826 7:4	add 18:9
& 3:10	214 3:11	601-833-4361 3:12	address 6:25 7:6
1	21st 20:16 22:10	67 4:22	7:14 14:2
1 4:10 21:24 22:4	30:23 41:3	672 9:1,6,8,14,17	admit 55:4
22:6	22 4:10	68 4:24	adopted 49:10,14
10 1:6	22nd 21:16	7	adult 9:10,19
100 24:1,17	236 1:23 3:22	7 7:17 18:25	advised 26:3
1094 23:17	25 18:15 53:20	75 53:20	affairs 12:6 55:9
11 11:20	26643 67:20	9	55:12
110 48:23	280 48:23	9 25:21,21	affect 32:8
12 18:4 53:19 69:2	29 1:16 14:17	901-523-8974 1:24	affirmatively 20:9
120 63:2	29th 2:2	3:23	afford 40:24
12th 67:18	2:20 1:6	93 4:10 21:1,25	afraid 60:15
13 18:25 19:4	2:47 65:15	94 4:10 21:1 22:1	african 64:5,8
133 9:3	2:49 65:15	978 7:1,5	age 41:9
14 27:8	2:50 66:11	99 18:17	agency 49:18,25
15 18:6,7,14	3	a	agent 23:6,24
150 64:19	30 14:17 62:22,23	aabalegal.com	24:12
16 17:24 18:14,16	306 3:5	69:1	ago 13:23 31:22
18 8:23	343 7:1,5	able 24:9 26:18	agreements 69:14
19 17:22,25 18:17	38103 1:24 3:22	49:22	ahead 29:10 54:12
1980 7:17	38902 3:5	academy 40:1	al 1:8 69:3
1998 7:21	39363 7:2	48:18 49:7,9	alcohol 32:8,13,24
1:30 2:5	39601 3:11	63:19,20	alias 6:18,23
2	4	accept 48:9	allen 3:10,10,10
2 31:6	4 67:24	access 51:9	allotted 69:15
20 16:24,25 18:5,7	40 62:21,22,23	accidentally 57:8	alpha 1:23 3:21
68:21	41 7:19 18:2,10,14	accommodate	ambulance 37:7
2001 11:4	45 24:2 26:3,5	5:23	38:5,6,7
2002 19:9 39:25	30:14,18 56:12	accosting 41:2	american 32:18,20
2005 11:4	4810395 68:24	accuracy 69:8	64:6,8
2009 11:20	69:4	accused 12:8,11	amount 15:7
2018 24:4	5	acquaintances	anger 55:19
2019 20:16 22:10	5 4:5	57:25	ankles 28:21
30:23 41:3 52:14	50 62:21	act 50:3	anonymous 23:11
52:18	514 24:20 26:9	action 50:5	answer 5:16,25
2020 52:16,20	6	actual 24:10 41:19	6:5,15 58:3
2021 1:16 2:2	601-227-9940 3:6	49:7 55:11	anthony 25:15
67:18 69:2		adams 1:23 3:22	36:7
			anybody 25:13
			47:1,10 55:6 61:6

[anyway - branscome]

anyway 15:1 apologize 22:15 appear 35:11 appearances 67:8 appeared 35:12,12 applicable 69:7,14 approached 39:18 approaching 23:14 approximately 2:4 7:15 archusa 23:14,16 area 17:7 26:24 arm 28:6,10 arms 47:2 arrest 15:9 50:3,5 arrested 35:7 59:15 arrived 14:8 arson 14:4 article 20:6,7 asked 10:17 11:22 11:24 14:4 21:18 29:16 30:1,3,5,9 65:20,23 asking 5:10 ass 41:21 42:13,21 43:15,15 45:18 47:13,18,22 48:5 48:10,12 49:20 50:1,22 51:22 54:23,24 56:22 57:3,8 assault 36:15 50:13,15 assaulted 34:22 asses 56:24 assignment 11:13 assistant 22:1 assume 5:24	attached 22:7 69:10,12 attempt 29:4 47:10,24 attempted 47:5 attempting 23:7 attend 62:20 attention 42:7 attorney 49:19 auditor 49:18,23 aunt 9:5,7 aunts 9:24 authentic 67:17 authorized 49:5 49:15 67:16 available 69:6 avenue 1:23 3:22 23:14 average 62:21 avoid 26:19 56:17 aware 50:2 55:8 b b 17:10,11 back 11:7 13:7 14:10,19 15:8 25:1,1,20,22 26:3 26:4,6,7,16,22 27:1,10,15 28:18 29:3,24 30:18 40:21,25 44:4 45:6 46:21 47:6 47:24 49:2 54:13 56:8 59:9 65:18 bad 8:5 47:13,18 47:22 48:5,10 band 63:9 bandwidth 8:7,8 bandwidths 8:9 bankruptcy 18:19 18:23	baptist 63:4,5 barbara 8:21 barry 55:17 baseball 27:23 based 57:18 basic 39:25 basically 14:21 16:3 26:13 27:23 28:20 29:2 35:22 37:17 38:22 42:6 55:12 bates 20:25 21:25 bear 67:15 beat 33:4 34:1 41:17,21 42:13,20 43:14,15 45:17,22 46:7,10,12,15 47:2 49:20,25 50:22 51:21 54:23,24 56:22,25 57:4,8 beaten 34:3 beer 32:25 60:23 began 28:19 31:12 46:18 beginning 2:4 behalf 2:3 5:11 believe 8:6 10:4 11:19 14:16 16:21 19:9,16,18,19 21:16 23:3 26:9 29:11 30:8 31:10 31:23,25 36:4,17 36:20 43:5,21,22 45:7 51:2 52:2,15 52:15 53:3,17 54:21,25 55:1,18 56:6,19 57:7 63:24 65:24 belinda 10:7 ben 23:6 27:7 36:8 58:23 59:1 60:9	61:5,19 best 20:20 41:5 better 8:12 29:17 30:2,2,4 64:20 beverage 32:17,18 bigger 40:24 billy 1:15 2:1 4:4 4:10 5:1 6:18,21 33:11 47:13,18,21 48:2,3,3,5,9 65:18 68:2 69:4 biloxi 40:5 bind 30:1 birth 7:16 bit 8:13 63:7 black 19:16,18,20 19:22 20:10,13,14 52:24,25 53:7,8,18 53:20 54:9,21,24 56:24 57:3,16,20 58:3,16,21 59:4 60:12,15,21,24 61:4,22 62:11,15 62:23 63:22,24 64:1,4,7 blacks 53:5 blades 29:2,3 47:9 47:24 49:2 bleeding 35:21 block 18:11 blood 35:15 blurred 21:7 board 53:5 bob 48:3 body 47:7 born 17:24 bother 48:4 boulevard 23:21 bounced 27:11 branscome 3:5
--	--	--	---

[break - conduct]

break 6:2,3,6 29:3 48:24 65:11 breakfast 60:24 61:3 breath 29:14 35:13 breathe 46:4 breathing 29:15 30:3,10 37:2 breeland 3:10 bring 48:13 broke 33:13 49:13 broken 14:14 brookhaven 3:11 brothers 10:2 brought 15:13 brutally 34:1 bucken 9:2,8 building 51:17 bureau 55:15 bust 35:17 busted 35:19 bystander 12:12	carlos 3:4 5:6 carry 44:9 cars 24:6 50:24 case 15:3,21 23:21 cases 22:21,22 cast 29:20,22 catch 8:2 23:25 24:10 29:13 56:8 catching 26:7 caught 24:21,23 25:2 26:16 41:17 cause 67:8 caused 35:24,25 36:3,5,6 causing 27:4 ccr 3:21 67:20 certificate 4:22 certified 69:16 certify 67:6,14 chancellor 25:15 26:21 27:3,16,19 36:7 54:5 chancellor's 25:18 change 8:9,11 changes 69:9 channel 51:13 channels 51:10 chapter 18:25 19:4 charge 14:24 15:2 21:20,21 charged 50:12 charger 24:8,23 chase 23:16 25:10 26:24 41:13 44:15 44:24 45:5 51:14 54:12 56:12 chasing 51:7 chastity 7:9 17:15 check 14:5	cheerleader 63:18 cheerleaders 63:22 chest 29:2 35:1 chevrolet 24:5 chief 11:10 23:3 24:7 26:17 28:19 37:15 39:5,16 40:7 43:13 53:14 53:16 55:12,16 children 9:10,23 17:2 choice 32:17,18 choir 63:9 chose 57:6 church 62:11,12 62:13,15 63:3,4,5 civil 1:6 2:8 claim 12:15,16 clark 5:10 clarke 1:8 7:13 11:12,15,17 13:24 14:3 17:8 22:10 22:23 34:14 35:2 49:11,15 69:3 classes 40:3,10 classifications 39:8 clear 14:18 clt 4:10 21:25 22:1 cmoore 3:6 coaching 31:20 coast 40:4 cochran 3:4 cochranfirm.com 3:6 code 23:16 coincidental 54:19 coincidentally 57:5	colleague 65:3 colleagues 12:12 33:4 36:10 54:10 college 40:12,13 40:14,16,22 collision 26:19 56:18 color 57:10,12,14 57:16,18 colored 64:5 come 26:6,10,10 43:12 44:8 62:7 comes 61:6 coming 27:16 63:6 63:15 command 43:1 44:5,5,9,19 45:2,4 45:14,17 49:25 50:22 54:22,24 57:4,8 commanded 42:14 56:21,24 commander 39:12 commanding 42:20 commands 42:8 commenced 33:25 comment 49:19 commission 67:24 community 40:22 comp 19:10,12 company 1:23 3:21 complained 37:1 completely 27:20 compliance 47:23 comply 29:8 concern 28:13 concluded 66:10 conduct 14:24 15:10
c			
c 3:1 67:1,1 call 14:1 37:14 38:6 39:15 64:4,5 64:5,6 65:7 called 23:16 37:9 38:5,7 48:3,5 65:6 65:8 capacity 62:9 64:3 captains 39:2 car 26:18 27:22 30:6 35:13,22,24 36:5 37:17,18,22 37:24 44:14,17 46:1,2 career 16:5 carey 9:18			

[conference - district]

conference 2:5 confirmation 39:17 connection 8:5 connections 8:12 consent 2:4 consider 57:23 59:15 considered 67:15 67:17 contact 58:1 contain 67:10 continued 28:18 56:16 65:16 control 28:21 30:15 convey 43:17 65:21,22,23 convicted 10:8 cooked 64:20 copy 67:15 69:16 corner 25:22 correct 37:25 38:8 38:12 44:2,22 45:18 48:11 67:10 67:15 corrections 68:3 correctly 5:17 6:16 counsel 2:4 13:11 13:14 31:20 67:13 counseled 10:20 count 62:20 county 1:8 5:10 7:1,5,12 9:1,3,6,7 9:9,13,17 11:12,16 11:17 13:24 14:3 15:13 17:8 22:11 22:23 24:4 34:14 35:2 40:15 43:14 49:11,15 51:5,21	52:22 56:22 67:3 67:5 69:3 couple 15:14 30:13 32:1 63:18 court 1:1 3:20 4:22 5:17 8:2 21:23 22:3 33:13 36:4 47:15 67:5,9 courthouse 22:24 23:2 51:12,17 courtroom 40:6 coworker 61:11 crazy 52:3 crime 10:9 15:5 criminal 39:9 40:18 cross 24:25 crossovers 26:8 currently 11:15 curriculum 49:7 cursing 14:24 custody 14:7,23 56:5 cv 1:6	38:18 41:8,11 50:4 51:23 57:24 62:2 67:18 68:21 days 62:5 dead 15:6 deal 59:18 dealt 39:18 deceased 9:25 decide 39:11 decided 29:8 30:17 45:1,9 defendant 3:9 12:22 15:12,25 16:3,12 defendants 1:9 15:14 definite 16:6 53:1 definition 58:1 59:6 degree 40:13 delay 6:13 demographics 52:24 department 11:3,6 11:8,10,12,13,16 11:18 12:19 13:25 14:21 22:11,15,17 22:19 23:4 40:20 49:11 53:19 55:10 55:14 61:21 64:23 depends 32:22 deposition 1:13 2:1,6 13:6,16 21:25 65:13,16 66:10 69:4 deputies 5:10 30:16 33:21,23 34:4,11,14,18,22 35:2 53:8,15,19 54:9 56:21	deputy 1:15 5:6 13:25 14:10 25:14 25:18 26:20 27:3 27:15,18 33:3,16 36:7,8 37:15 38:19,21 39:5,6,13 39:16 46:6,9 51:11 53:14,16,24 54:1,3,5,7 55:12 55:16 61:13 65:18 deputy's 45:13 description 4:9 desoto 67:3,5 difference 19:1 different 54:11 differently 41:2 57:17 dinner 60:23 61:3 direct 30:19 42:20 directly 56:16 disable 27:9 disabled 27:20 disappointed 43:16 disappointment 43:18 discharged 19:6 disciplinary 12:2 12:2 disciplined 10:14 49:17,24 55:6 disorderly 14:24 15:10 dispatch 51:15,16 dispatched 37:12 disposed 2:11 disregard 44:4,5 disrict 1:1 district 1:1 8:17 53:2
	d		
	d 4:1 da's 22:19 daily 58:6,6 59:19 damage 14:15 dana 16:21,21 danger 42:11,17 danny 9:8 darted 25:20 26:18 date 7:16 11:20 21:15 22:14,18 38:16 68:19 daughter 9:16 63:17 day 2:2 13:8 21:16 30:22 31:24 34:4		

[ditch - gary]

ditch 42:2 56:10 56:11 division 1:2 divorce 16:14 18:18 divorced 16:10 document 22:5 67:15,16 dodge 24:8 27:8 dog 25:24 doing 14:15 48:12 door 14:11,11,12 14:12,19 27:9,21 31:8 dove 27:22,24 31:7 46:2 drink 32:15,20 drive 3:5 42:2 driver 23:9 driver's 27:3,9 drove 26:14 42:1 56:17 drugs 32:8,11 duly 5:2 durango 25:19 duties 38:25 duty 15:4	election 52:16 eluding 21:21 ema 51:17 email 22:1 employ 67:12 employed 11:15 enforcement 39:20,22 43:13 49:18,25 51:10 engineering 40:17 enterprise 24:8 entirety 45:24 errata 4:24 68:1 69:10,12,13 esq 3:4,10 et 1:8 69:3 evans 54:3 everybody 12:24 23:18 29:6,13 41:9,9 43:23 56:3 59:18 61:8 ex 16:20 17:13 exact 41:20 53:4 exactly 21:3 30:8 examination 4:3 5:4 examined 5:3 excessive 12:8,13 exclusive 19:13 exhibit 4:8,9,10 21:24 22:4,6 experience 39:14 45:8 expires 67:24 extremely 64:12 eyes 35:1	fails 69:15 fall 52:17 family 40:24 51:6 far 12:24 16:5 22:20 53:3 fast 5:20 51:24 faster 24:5 father 9:24 18:16 64:16 fault 16:14 18:11 february 7:17 federal 2:7 feel 29:9 41:23 55:13 felony 14:3 21:21 felt 30:2 fender 27:4 fight 46:21 fighting 31:12 46:19,20 file 12:2 filed 5:9 15:2 16:14 finally 6:8 fine 35:12 finish 7:20 fire 14:1 firearm 23:12 firearms 40:2 firm 3:4,20 first 5:2 11:13 17:18,21 36:6 40:15,16 45:1,2 48:7 49:21,22 fit 14:21 five 17:17 58:25 63:25 floorboard 24:14 25:5,7 follow 42:8,19 43:1	followed 23:20 following 44:19 follows 5:3 65:16 football 63:7 force 11:14 12:9 12:13 40:11 53:9 foregoing 67:7,8 67:10 form 2:10 formalities 2:9 forms 2:9 forward 10:23 27:7 28:8 29:5 found 26:5 51:2 four 58:25 59:2,4 63:25 frantically 24:15 free 11:23 fresher 31:24,25 friend 57:24 58:17 59:16,19 friends 57:20 58:3 58:21 59:4 60:12 60:16,19,25 61:4 61:22 friendship 59:7 front 14:10,11 25:9,11,14 26:17 26:20 27:16,22 28:7 31:8 froze 6:19 frozen 21:2 full 11:9,20 further 66:12 67:14
e			g
e 3:1,1 4:1 67:1,1 earlier 61:23 early 17:25 east 8:23 eastern 1:2 eating 61:7 eight 53:17 58:7 58:24 59:5 either 39:5 43:23 46:24 elbow 28:9 elected 52:13	f f 67:1 face 31:9 35:1 fact 5:25 31:20		gain 28:20 garbled 22:15 gary 58:11,20 60:6 61:6,17

[general - instructed]

general 49:19 generally 20:3 64:8 gentleman 14:4 getting 27:10 48:14 54:15 girls 63:24,25 give 29:8 53:22 58:8 given 57:8 glass 32:24 go 14:5 22:20 28:22 29:3 37:19 37:23 38:3 39:1 40:14,25 55:18 58:25 60:15,20 62:6,10,11,12,13 62:15 63:1 66:8 goat 48:3 going 6:4,10,11 10:23 18:13 21:20 21:24 24:16,19 26:12,21 28:15 30:17 31:15 41:13 47:13,19 48:23 51:15 56:14 good 7:3 8:8 30:10 48:12 gotten 23:11 grab 24:15 25:7 grabbed 28:6 60:23 grand 22:23 grandfather 9:25 grandmother 64:12,14,18 grandmothers 8:25 9:23 granny 65:5 grass 25:19,23	great 5:7 grenada 3:5 grip 28:22 29:4,10 47:25 48:24 49:3 ground 5:15 6:8 27:25 28:8 31:9 33:25 47:1 48:21 group 19:14 gun 28:11,15 46:25	43:12 47:16 49:21 49:22 59:8,11 heard 23:5 27:17 33:9 41:23 43:23 45:1 50:21 51:7 51:13,16,18 57:1 64:22,25 65:3 hearing 2:12 heat 42:5 43:4 55:22 heeded 54:23 help 30:19 hereto 22:7 hey 51:6 high 7:20,22,22,23 8:1,3,4 10:22,24 61:23 62:4 63:8 highway 8:23 24:2 24:20 26:3 30:14 hire 11:20 hired 11:12 history 10:22 hit 25:24 26:2,21 27:3,25 29:1,5 36:14 hitting 36:10 hold 28:5,6 48:21 holding 28:21 holstered 28:3 home 14:20 59:21 59:23 62:10 homeland 40:11 homeowner 14:20 honest 41:4 51:4 honestly 16:13 41:8 honey 32:19,20 honor 5:8 hoping 26:12 56:14 65:20	hospital 36:22 37:5,20,23 38:3 hour 24:1,17 house 14:8,9,13,17 15:5 60:2,4,7,8,13 62:7 houses 60:16,18 60:20 62:6 human 56:2 hurt 29:18 48:14 63:8
	h		i
	h 17:10,11 half 53:3,3 hand 25:5 28:6 handcuff 46:24 48:1 handcuffed 28:25 29:12 56:5 handcuffs 31:11 33:12,17 34:5,8,11 34:15,19,23 35:9 45:22 46:3,7,10,13 50:20 handler 25:21 hands 27:22 28:1 28:13,17,17,17,23 28:24 29:11 31:3 31:8,15 35:1 46:23 47:25 48:21 50:19 hankins 10:25 happened 21:13 22:9,14,16 30:5,22 57:3 hard 59:17 harmed 42:18 head 29:5 42:1 headed 24:3 25:1 26:3,4 hear 5:13 8:10,12 21:3 41:10,14		identified 21:10 23:9 ignored 54:22 immediately 27:25 inaudible 9:6 33:8 33:12 36:1 39:20 47:14 incident 13:8 31:24 55:7 including 19:20 53:14,16 income 19:4 index 4:3,8 indiscernible 63:19 individual 59:14 individuals 41:17 54:17 57:17 influence 32:7 injured 15:6 37:20 injuries 19:10,12 34:25 35:4 injuring 36:11 inside 14:14 15:5,7 45:20 55:13 instance 32:2 57:9 institute 39:25 instructed 14:23

[instructor - low]

instructor 40:2 48:20 49:8 intended 47:6 intent 29:1 interest 67:13 internal 12:6 55:9 55:11 investigated 55:14 investigation 12:6 40:3 55:15 investigator 21:20 38:22 39:9,10 involved 13:18 18:19,22 37:18 54:14 67:13 ironic 48:2 ivy 23:6,24 24:12 27:7 36:8 46:6 54:7	jumped 27:14 june 67:24 junior 40:16 63:8 jury 22:23 justice 3:11 40:18 56:19 justified 15:7 justin 29:11	ks 1:6	68:2 69:4
		l	lieutenants 39:2
j	k	labeled 16:16 38:23 lady 15:13 laid 31:9 lane 26:11 30:14 56:14 langston 58:23 59:1 60:9 61:5,19 large 67:22 lauderdale 24:3 laurel 11:2 law 39:20,22 42:10,12 43:13 49:18,25 51:10 lawsuit 5:9 12:18 13:1,18 15:8,13 16:1,8 52:9,12 lawyer's 15:19 lay 5:15 48:21 laying 28:14 lcr 3:21 67:20 leadership 55:25 leaned 25:4 29:5 29:24 46:3 leave 11:23,24 left 11:1,5,11,23 26:19 28:9 38:13 56:14 leg 29:18,19,21 30:2,5 legal 69:19 legit 48:16 legs 28:21 29:25 46:5 letting 26:25 45:6 lewis 1:15 2:1 4:4 4:10 5:1,6 6:18,21 9:1,7,13,16 33:3 33:11,16 65:18	life 18:1 20:14 40:18,23 lights 26:11 56:14 likes 41:9 likewise 6:11 line 68:4 lip 35:15,21 liquor 32:25 listening 51:14 literally 45:17 57:15 litigation 18:18 little 8:13 24:17,18 35:15 63:7 live 8:16,22 9:12 17:5 60:8 65:9 lived 7:14 64:18 lives 7:5 9:1,3,6,7 9:8,13,17 10:3 17:6 19:16,18,19 19:20,22 20:10,13 20:19,20 lobby 14:22 locate 14:6 locations 54:11 long 7:14 11:17 16:23 17:15 23:21 62:2 lonzell 9:2 look 35:6,8 looked 24:19 25:3 27:18,23 29:7,14 29:19 looks 18:13 loss 11:2 lot 18:11 30:4 40:24 64:20 low 8:7

[lumber - okay]

lumber 10:25	mean 13:4 37:19	65:17 66:5,8	network 8:7
lunch 60:24 61:3,7	37:23 43:3 44:11	morning 13:11	never 11:24 46:25
m	55:23 59:16 62:21	mosely 16:22	50:18,19 64:10,11
madam 21:23	means 38:24	mother 8:21 9:23	new 40:7
maiden 7:10	median 24:24	64:17,21	news 20:4 51:24
mail.com 3:23	25:23 26:14 56:17	motivation 52:11	newspaper 20:7
main 46:22	medicines 32:8	moulds 24:7,22	nine 53:17 58:7,24
major 40:17	meeting 22:19,24	26:17	59:5
making 36:17,20	23:1	mouth 35:17,19	nineteen 17:23
malone 3:10 66:6	member 19:13	43:13	normally 25:9
man 33:4 37:17	memory 31:23	move 26:19 27:6	north 23:22,23,24
46:7,10,20 48:23	32:9	28:8 30:19 49:1	24:3 25:1
57:16	memphis 1:24	moved 28:7 51:17	northcrest 63:4,5
man's 45:17 50:1	3:22	mtp 1:6	notarize 69:11
54:24	mention 31:3	mulls 28:19 29:4	notary 67:5,22
management	mentioned 11:22	multiple 24:12	note 69:9
55:19	22:5 31:15	28:16	noted 67:8
maneuver 48:16	meridian 11:5	n	notes 67:11
49:12,14	30:9 40:4,22 63:4	n 3:1 4:1 64:9,11	notice 2:3 6:13
maneuvers 47:5	63:5	64:23 65:1,3	nra 40:2
march 20:16	met 37:8	name 5:6 6:17,20	number 7:3 15:23
21:16 22:10 30:23	mexican 60:21	6:22 7:8,10 8:2	numbers 53:1,4
41:3 52:14	mike 23:3	9:5 10:6 15:16,18	o
marcus 58:10,12	miles 24:1,17	15:19 48:2,4 62:2	obey 45:2,9
58:12,14 59:20	mill 10:25	63:3	objections 2:10
61:5,9	mine 25:20	named 12:21,24	occasion 32:23
mark 21:24	minimal 25:12	15:12,14,25 16:4	occur 55:2,4
marked 22:6	minutes 35:23	names 8:19 58:9	occurred 13:9
marquis 1:4 5:8	mirror 25:17	61:25 62:3	october 67:18 69:2
20:14 21:13 22:11	mississippi 1:1,8	narcotics 11:14	office 14:1 22:19
22:17 23:9 69:3	3:5,11 7:2 8:17	23:6 39:9 40:3	52:20
married 16:23	10:4 11:14 14:2	nature 12:3	officer 15:3 43:2
17:16,18,20,25	17:6 40:11 55:15	nearby 8:16	43:14 48:25
18:4,7,14,15,17	67:3,5,22	nearing 65:12	officer's 42:20
marshals 14:1	mistakes 56:1,3	need 5:16,21 6:2	officers 31:11,13
matter 19:16,18	moment 42:5 43:4	37:19 39:17 47:1	42:9 45:8 46:19
19:19,23 20:10,13	55:23	needed 29:17	46:21,21 54:21,23
20:14,19 35:23	moore 3:4 4:5 5:5	30:15	official 11:19
67:13	5:6 8:4,8,11,14	needs 55:14,18	okay 5:11,25 6:11
mcharra 23:3	21:9,11,23 22:8	negro 64:6	6:12 8:24 10:24
	33:14,15 47:17		11:21 16:15 18:18

[okay - quitman]

22:18 30:10 32:25 36:6 39:11 41:6 47:10 48:15 52:17 52:21 53:18,24 57:15 58:21 59:2 59:6,12,20 60:11 60:14 64:1 66:8 old 7:18 62:5 once 18:24 24:2,4 27:5 28:6 32:16 33:19 41:17 44:8 ones 16:5 38:5 54:22 61:2 open 14:12 27:21 opened 40:19 opinion 41:4 51:4 opportunity 40:19 65:22 order 67:14 outside 23:1,18 46:12 overreacted 44:3	parties 67:13 pass 24:9 passed 25:2 passenger 24:14 25:6,16 27:12 31:8 passenger's 25:3,4 25:16 27:19 patrol 13:24 patrolman 11:16 pause 6:14 pearson 59:14 pending 6:4,5 penney 11:1 people 28:14 44:8 45:1 51:5,11,13,15 51:18 54:16 55:22 55:25 62:2,3,7,11 62:15,23,25 64:1,4 64:7 people's 60:20 62:6 percent 53:20,21 percentage 52:25 52:25 perfect 22:3 person 59:17,17 59:18,18 62:8 person's 56:22 personally 45:19 personnel 22:11 phone 7:3 phonetic 9:2 phrase 20:6,10 picture 62:18 place 15:5 22:25 23:18 26:5 50:10 51:18 67:7 placed 34:8,11,14 34:18,23 35:9 45:21 50:19	plaintiff 1:5 2:3 3:3 16:7,12 plaintiff's 15:16 plan 44:14 play 63:6,10,14 played 63:7,9 please 47:15 point 29:8,21 30:12,20 police 11:3,6,8,9 11:10,11 23:4 40:1,20 61:20 policy 38:23 polly 3:21 67:5,20 pollywardlawccr 3:23 possible 20:20 25:13 48:14 possibly 44:10 pound 48:23,23 pre 40:17 prefer 32:25 preparation 13:15 prepare 13:5 present 56:4 pretty 20:5 31:1 51:19,24 53:3 59:16 61:6 62:16 64:17 65:5 prevention 11:2 previously 5:7 prior 11:22 private 62:8 63:20 probably 58:7 63:1 64:19 problem 52:21 procedure 2:8 49:5,10 proceeding 18:20 18:23 67:10	proceedings 67:7 process 44:17,19 44:21 48:18 professional 43:8 66:1 program 40:23 progress 23:17 proper 44:7 properly 48:15 protect 20:20 provisions 2:7 pta 40:23 public 39:24 51:9 56:2 63:12 67:5 67:22 pugh 58:10,14 61:5 pugh's 59:21 pull 28:2,17 47:24 pulled 27:14 28:10 29:11 56:13 punched 34:13 pursuant 2:3,6 pursuit 24:11 put 22:21 28:1,4,7 28:9,17 31:11,18 31:19 32:3 42:11 42:17 50:19
p			q
p 3:1,1 p.m. 2:5 65:15,15 66:11 pachuta 14:2 page 4:9 21:1 31:6 68:4 pages 67:10 69:12 paid 42:6 pain 47:23 paperwork 16:18 paramedics 37:9 37:12 paratech 37:7,9 parked 30:14 part 11:8 15:10 44:23 45:2,3 48:9 48:17 64:15 67:16			question 2:11 5:18 5:19,25 6:4,5,14 36:4 47:16 50:6 questions 5:11 58:2 66:6 quick 14:13 48:13 quiet 6:10 quitman 8:1,4,23 9:2,3,14 11:1,3,7 22:24 23:4 40:19 53:2 61:20 63:11

[r - see]

r			s
r 3:1 67:1 racially 19:13 racism 52:21 radio 14:16 23:5,6 23:10 41:11,14 44:4 50:24 51:7 51:12 52:4 radios 51:5 raised 64:14 raleigh 10:4 ram 27:8 ramage 10:7 rammed 27:9 ran 14:9 23:15,18 28:3 rank 38:18,20 rawson 29:11 54:1 rcta 40:4,5 reach 57:25 reaching 24:13 25:6 reaction 45:13 read 12:20 13:1,7 21:6 68:4 69:6,8 readily 33:20 reading 12:24 reads 68:4 realized 29:19 44:3 really 12:16 38:24 39:3 rear 14:9 27:3 reasons 68:4 recall 31:5 58:22 recess 65:14 record 21:9 65:18 refer 64:1 referenced 69:5 referring 20:6	reflect 21:9 reflected 20:25 regardless 52:9 regards 21:12 22:10 41:2 regional 39:24 regulars 62:17 related 67:13 relations 8:20 relatives 8:16,19 9:4,19 release 28:16 47:24 49:2 released 29:10 remain 6:10 remember 13:23 15:16,17,19,23 16:13,16 21:19 26:8 29:20 30:7 31:21,22 32:6 35:14 41:20 renee 9:7 repeat 5:19,21 47:15 49:13 repeatedly 34:21 rephrase 5:19 report 30:24 31:2 31:6,14 32:3 40:5 46:18 reported 67:10 reporter 5:17 8:2 21:23 22:3 33:13 36:4 47:15 67:5,9 reporter's 4:22 reporting 1:23 3:20,21 reports 22:22 representing 5:8 reproduction 67:16	request 5:23 rescue 40:10 reserved 2:10 residence 14:5 resign 10:17 resisting 31:12 46:19 response 65:4 responsibilities 38:16 rest 29:9 result 55:6 return 69:12 rico 59:13 right 6:6 9:15 13:14 16:20 17:2 17:13 18:8,13 20:24 21:22 25:18 28:4,4 30:10,14,21 40:12 41:1 43:9 44:25 47:20 53:22 58:8,16 59:1 64:18 65:11 66:1 66:4 risk 25:12 road 7:1,5 9:1,3,6 9:8,14,17 26:23 27:5,11 32:1,1 45:21 50:25 64:19 64:20 road133 9:9 robert 58:10,18 59:25 61:5,15 rolled 29:16 rule 6:8 rules 2:7 5:15 69:14 running 23:25	s 3:1 17:10,11 safely 48:1 safety 14:13 28:13 39:25 47:3 saith 66:12 sanctuary 62:19 sat 29:23 saw 24:22 25:17 41:25 59:8,9,13 saying 44:13 says 8:6 31:7,17 38:23 46:18 scene 36:24 37:2 38:14 56:4,9 school 7:20,22,22 7:24 8:1,3,4 10:23 10:24 27:2 40:2 53:2 61:23 62:4 63:10,12 schools 26:24 40:6 40:7 45:6 54:15 scope 15:4 screen 59:10 seal 67:15 search 40:9 seatbelt 25:8 27:13 second 7:24 36:7 40:21 45:3 seconds 14:18 44:12 secured 14:19 security 10:25 40:11 51:12 see 8:25 10:24 14:5 21:5,6,7 22:20 36:14 45:13 46:12 50:11 56:15 57:10,12,15,23 58:6 62:4,18

[seen - stay]

seen 13:4 36:22 senior 39:13 senses 44:8 sent 22:22 september 1:16 2:2 11:20 sergeant 38:24 sergeants 39:3 serious 39:15 served 12:18 service 37:7 62:20 63:1 set 46:3 settled 15:9,21 sheet 4:24 68:1 69:10 sheriff 12:23 23:2 23:20 26:9,14 30:12 38:21 39:5 39:16 41:16 42:1 42:2,14 43:3,11,17 45:9 49:15,17,24 50:3,5,12,16,18 51:21 52:3,10,13 53:14,16 55:13,18 56:4,13,17,21 57:4 57:10 64:25 sheriff's 11:13,16 11:18 13:24 14:20 22:11,14,16,18 43:13 45:14,17 49:11 53:19 54:22 55:10 64:23 shift 39:12,12 shocked 43:11 shopping 59:8,13 short 11:6 29:20 29:22 shot 27:19 shots 27:17	shoulder 28:4,7 29:2,3 47:8,23 49:1 show 48:22 showed 14:16 16:17 48:25 49:8 shubuta 17:6,9 shut 41:21 43:15 shutting 44:21,23 side 24:14 25:3,16 25:16,18 26:23 27:4,5,9,12,19 29:16 45:21 sign 23:15 69:6,11 signature 2:13 21:5,6,8,10 66:13 67:15,18,20 68:19 signed 16:18 20:22 69:17 sir 5:12,14 6:7,24 8:18 9:5,11 10:1,3 10:10,13,16,19,21 11:24 12:4,7,10,14 12:23 13:2,20 15:15,20,22 16:9 16:11 17:1,8,12,14 17:24 18:3,21 19:5,7,15,21,24 20:1,12,15,17,23 21:8,14 31:1,10,17 31:21 32:10,12,14 33:2,5,7,18,22 34:2,6,9,12,16,20 34:24 35:3,10,16 35:18 36:12,16,19 37:3 38:1,9,17 39:4,7 41:12,15,19 41:22 42:15,22,24 43:16,19 44:6,20 44:23 45:12,15,22 46:1,5,8,11,14,16	46:22 47:8,12,22 48:8,11 50:8,14 52:1,23 53:10,23 53:25 54:2,4,6,8 54:18,20,25 55:3,5 55:8,20 56:20,23 57:5,9,11,13,15,16 57:19,21 58:3,4,10 58:13,15 59:3,22 59:24 60:1,3,5,10 60:17 61:1,12,14 61:24 62:13,24 63:13,16,21 64:12 64:24 65:2,10 66:3 sirens 26:12 sister 10:3 sit 30:16 32:23 61:7 62:1,19 situation 39:15 45:25 skipped 7:24 slide 27:24 slow 5:21 25:11 slowing 24:18 small 32:24 39:19 smith 58:10,18 59:25 61:5,15 solutions 69:19 somebody 15:23 42:11 57:24 65:7 somebody's 43:15 49:20 51:21 son 9:13 17:24 63:14 sorry 6:19 7:23 8:10 17:19 18:8 19:17 21:2 33:9 35:8 36:2 37:11 37:21	sounds 53:22 south 11:14 23:22 26:3,9 39:24 southbound 26:5 26:11 56:12 southern 1:1 8:16 speak 57:24 58:6 special 38:2 specific 20:5 sped 25:23 26:1,20 speeds 23:25 24:16 25:12 spell 17:9 spend 64:15 spent 64:17 spin 26:15,22 27:5 44:14 spoken 13:15 sports 63:6,15 spot 35:15 spread 51:24 stamped 20:25 21:25 standard 56:2,3 standing 23:1,4 51:14 start 16:4 17:25 35:21 started 27:6 28:2 state 6:20 14:1 49:18,18,22 67:3 67:22 stated 67:7 statement 4:10 13:7,12 20:21,22 20:24 21:1,4,12,15 21:18,24 51:3 57:6 states 1:1 stay 60:21 62:8
--	---	--	--

[stealing - traveling]

stealing 14:15 steering 25:6 stenotype 67:10 67:11 stolen 23:12 stomped 34:7 stomping 36:10 stonewall 7:1,12 11:9,11 40:8 stop 23:7,15,23 26:12,23 27:6,10 36:9,12 45:5 56:15 stopped 27:1,14 29:6 36:2 44:15 44:17 46:1 stopping 23:8 stormed 33:23 street 3:11 stretch 29:18 46:4 stretched 29:25 strict 64:13 strike 47:6,6,11,19 47:22 struck 25:18 33:17 struggle 28:18 46:17,18 stupid 43:6 styled 67:8 subject 12:5 14:6 subscribed 68:20 sue 41:9 sued 41:7 54:17 suffer 35:4 suffered 34:25 suit 15:2 superior 42:9 43:1 supervisor 38:14 supervisors 53:6 supervisory 38:15 38:25	supposed 23:11 44:1 sure 12:16,17 13:12 14:9,14,18 20:12 25:24 27:20 28:5,11,23 30:15 54:12 62:9 surprise 54:16 surrendered 33:20 suspect 23:15 sweep 14:13 switched 40:17 sworn 5:2,7 68:20 swung 27:21 t t 17:10,11 67:1,1 tahoe 24:5 25:22 take 6:2,3 14:6,23 65:11 taken 2:1,6 15:5 56:5 65:14 67:7 67:11 talk 5:20 6:9 51:20 62:5,5 talked 13:11 talking 6:9,11 20:3 23:2 task 11:14 40:11 tell 10:22 13:21 22:9,13 31:14 43:20 44:4 61:25 65:5,19 telling 30:21 32:4 42:19 44:18,25 46:6,9,20 tendency 5:20 tender 66:5 tennessee 1:24 3:22 terminated 10:11	terms 2:7 testified 5:3 testimony 22:6 40:6 69:8 thank 22:3 30:21 thing 39:10 44:7 46:22 49:22 62:3 things 22:20,21 39:17 43:9 48:4 48:19,25 55:22 think 14:17 19:1 31:1 37:16 41:6 42:25 45:11 50:23 54:19 60:7 65:12 thinking 15:22 third 36:8 thorough 65:25 three 26:24 31:25 32:16,21 35:22 37:17 53:7,7,12,18 threw 33:24 throwing 14:21 thursday 30:23 ticked 42:5 tilman 1:4 4:10 5:8,11 20:25 21:13,25 22:1,12 22:17 23:10 24:13 24:19,25 25:2,16 26:2,12,13 27:11 27:21 28:14,22 29:7,14 30:16 31:7,12 33:17,19 33:25 34:3 36:11 37:13 41:3,17 42:1 50:21 51:2 52:8 56:5,15,16 69:3 tilman's 20:14 23:21 24:23 25:17 25:20 26:17 33:24	42:13,21 time 6:2 11:7,8,9 11:20 14:23 15:7 17:18,21 18:12 23:5,13 24:6,21 25:2,21 26:25 27:7,8,17 29:6 31:7 40:15,21 41:25 44:10,15 45:5 46:1 51:16 57:1,2,6 62:16 64:16,18 65:15 67:7 69:15 timeframe 69:7 times 18:22 24:13 28:16 59:15 tip 23:11 tire 27:19 29:24 today 32:4,9 52:5 62:4 66:2 today's 13:15 told 12:23 23:10 28:16 30:16,25 41:16 43:14,21 46:17 47:4 59:5 touched 50:18 touchstone 46:9 53:24 town 51:20 59:14 traffic 14:16 27:2 30:15,19 41:11,14 tragic 30:22 trained 48:15 training 39:23 40:7 48:18 transcript 67:11 68:1 69:5,16 transported 30:18 37:4,6 traveling 50:25
--	---	---	---

[treat - working]

treat 57:17 tried 23:24 28:20 31:11 trouble 29:15 37:1 48:24 truck 42:3 56:10 56:11,15 true 31:2,6,20 33:3,6,8,10,11,16 33:19,22,23 34:3,7 34:10,13,17,21,25 41:10,16 67:10,15 try 18:11 20:20 23:22 24:10 25:10 25:11 26:21 27:9 36:9,12 44:8,14 47:19,23 54:14 59:19 62:1 65:9 trying 19:1 24:15 25:7 28:10 29:9 29:13 44:17 46:22 47:2,21,22 48:13 54:11 56:8,9,9 62:18,19 turn 24:19,25 26:1 26:2,5 turned 23:20,22 23:24 24:3,24 27:18 54:13 55:14 tv 20:7 twelve 11:19 twenty 18:6 twice 40:2 two 7:15 9:22 21:1 27:17 30:7 31:21 32:16,20 50:10 53:7,7 63:24 tx 69:13	u u 17:10,10,11,11 24:25 uncle 9:8,24 underneath 48:22 48:24 understand 5:18 5:22 understanding 37:7,15 understood 5:24 42:4 united 1:1 units 24:10 26:4 university 9:18 unmercifully 33:4 upwards 24:1,16 use 32:11 47:5 64:23,25 65:3 usually 20:6 39:13 39:15 62:21 utilizing 12:13	veritext 1:23 3:21 69:12,19 veritext.com. 69:13 versus 53:6 vicinity 9:20 video 2:5 vigilante 56:19 violate 42:10 violated 42:12 violently 33:24 vs 1:6	29:10 30:18 31:3 39:24 40:15,21 48:19 59:8,13 62:3 west 24:19 wheel 25:6 whichever 21:20 white 7:11 37:15 52:25,25 53:7,13 53:21,24 54:1,3,5 54:7,17,23 55:17 56:22 57:8 60:21 62:25 63:23,25 whites 53:6 whoever's 39:14 wife 7:7 8:15 9:22 16:20 59:8,13 wife's 7:8 william 9:18 williams 16:21 wine 33:1 witness 2:13 8:6 8:10,13 16:4 22:7 66:5,7,12 67:18 68:19 69:5,7,9,11 69:15 wives 17:13 woman 48:23 word 64:9,11,23 65:1,4 words 19:22 20:2 21:7,7 22:9,13 30:22 41:20 43:12 work 11:7 40:25 61:10 62:9 64:16 64:17 worked 10:25 11:2 11:4,6,9 workers 19:10,12 working 13:24	
	w	w 3:21 67:5,20 waistband 28:2,12 31:4,16 32:5 waived 2:9,14 66:13 walked 30:12 want 30:19 32:23 62:3 65:6,19,21 wanted 22:20 52:8 65:22 wants 61:7 wardlaw 3:21 67:5,20 warrant 14:4,7 way 24:13 25:4 40:18,23 weapon 28:3 wearing 27:13 week 9:17 30:6,8 weekend 59:7,12 weekends 9:16 weeks 30:7 32:16 32:21 welcome 61:8 went 11:1,2,5,8 13:7 14:8,10 23:15 25:19,22 26:13 27:15,18		
	v v 69:3 varies 62:16 veered 25:17 vehicle 23:7,8,12 23:15,21 24:23 25:11,17,20,24 26:10,13,17,18,22 27:4,4,6,10,12,15 27:17,20 29:25 30:17 33:20,24 41:13 46:4 vehicles 23:19 30:13,20 45:20 verbally 5:16 30:25 verify 46:24 69:8			

[works - zoom]

works 61:20
worse 64:6
wreck 30:6 35:13 36:5 37:19,22,24
wrecked 42:3
wrecks 35:22,24 37:17
writing 40:5
wrote 13:8 20:21
www.veritext.com 1:25 3:24
x
x 4:1
y
y'all 8:11 16:23 43:25 60:19
yards 64:19
yeah 7:25 18:11
year 19:8
years 7:15 11:19 13:23 16:24,25 17:17 18:4,5,15 31:22,25 32:1 63:19
young 8:21 17:18 17:20
younger 45:7
z
zoom 2:5

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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